



**CALIFORNIA DEPARTMENT
OF EDUCATION**

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June 14, 2019

Diann Kitamura, Superintendent
Santa Rosa Elementary School District
211 Ridgway Avenue
Santa Rosa, CA 95401

Dear Superintendent Kitamura:

Subject: 2018–19 Comprehensive Review Cumulative Findings

This letter provides an overview of the cumulative results of the 2018–19 Comprehensive Review (CR), including the on-site review of the Santa Rosa Elementary School District. The California Department of Education (CDE), Special Education Division conducted the CR on-site review April 8–10, 2019, based on items that are known to be frequently noncompliant statewide, in addition to items indicated in the monitoring plan and items identified as a result of the CR desk audit. Details and results of the CR desk audit were provided in a letter dated March 29, 2019.

Comprehensive Review On-site Activities

Based on the LEA's data and desk audit review, the CDE team determined the following areas would be investigated through the CR on-site activities:

- Statewide assessment achievement and participation rates
- School age student access to the least restrictive environment when in settings apart from their non-disabled peers
- Preschool student access to the least restrictive environment
- Documentation of completed preschool assessments
- Determination of eligibility for special education/services and an IEP developed and implemented within 60 days

The on-site review was comprised of multiple activities including IEP review for educational benefit, service verification for individualized education program (IEP) implementation, and interviews with local educational agency (LEA) and nonpublic school (NPS) staff, service providers, and parents.

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Educational Benefit Review

The educational benefit activity analyzes three years of student records and reviews relationships among assessments, needs identified, present levels of performance, goals, services, and progress for a particular student. The objective is to determine if the IEPs for each student were reasonably calculated to provide educational benefit. Five student records were selected for the Educational Benefit Review. All five of the records tested were found to be compliant.

Individualized Education Program Implementation

During the IEP Implementation Review, 15 student records were reviewed for the provision of services as specified in the IEP. As part of verification of IEP implementation, the CDE visited six LEA schools and three nonpublic schools; interviewed LEA and Special Education Local Plan Area (SELPA) personnel; and viewed database records and service logs for each student. All fifteen of the records tested were found to be compliant.

Interviews

A total of 22 LEA staff interviews, as well as 17 interviews with NPS staff which included administrators, special education staff, special education service providers, and general education staff were conducted. One interview was conducted with a SELPA administrator. The CDE attempted to contact 15 families of LEA students receiving special education services and successfully conducted 5 interviews.

Comprehensive Review Cumulative Findings

The desk audit and on-site review activities generated cumulative results. All activities that comprised the CR process may be found in enclosure A. Each review contained multiple test items and each of the test items resulted in a finding of compliance, noncompliance, or nonapplicability.

The student record review found a total of 54 items noncompliant one or more times resulting in 89 instances of student level noncompliant findings and are documented in the Student Non-Compliant Report. The LEA's policies and procedures review resulted in 5 of the 17 tested items being noncompliant and the SELPA governance review resulted in 1 of the 25 tested items being noncompliant, which is documented in the enclosed District of Service Report. As a result of the cumulative review, results in key areas are summarized below.

Statewide Assessment Achievement and Participation Rates

In the 2017–18 school year, the LEA did not meet the State Performance Plan Indicator (SPPI) target for statewide assessments, specifically for participation. The LEA has failed to meet the participation target for English language arts (ELA) and math for two of the past three years, and there was no data submitted by the LEA for the 2017–18 school year. For achievement in both ELA and math, the LEA failed to meet the achievement targets for school years 2015–16, 2016–17, and as a result of no data submission, achievement and participation data was not calculated for 2017–18.

It should be noted, as part of the record review, that the LEA was found noncompliant in one instance related to inclusion of accommodations on a student's IEP that would enable the student to participate in statewide testing. It was also identified through interviews and student record review, discussion of the relevance, importance and significance of a student's participation in LEA and statewide testing was not documented on IEPs. The CDE recommends the LEA special education administration review all IEP's for students with disabilities and ensure the documented testing accommodations and modifications are available and provided to the student throughout the school year and for LEA and statewide testing.

Although interviews of general and special education staff who serve students with disabilities indicated curriculum materials are sufficient and provided by the LEA, general education teachers of students with disabilities stated additional planning time is needed to scaffold instructional materials for students who participate in a push-in or inclusion program. Four general education teachers further indicated that the current collaboration time provided for special education teachers is insufficient, related to supporting the academic and curricular needs of students. Although special education program managers have provided professional development to LEA sites to support inclusion practices, the CDE recommends additional trainings for general education teachers related to curriculum modification and teaching strategies specifically for students with disabilities.

School Age Student Access to the Least Restrictive Environment

In the 2017–18 school year, the LEA did not meet the SPPI target for least restrictive environment (LRE) specifically, the amount of time students aged six through twenty-one receive special education services in settings apart from their non-disabled peers, inside of the general education class less than 40 percent of the day and; in separate schools, residential facilities, or homebound/hospital placements. Interviews with LEA special education administration indicated three new special education special day classes have been developed for the 2018–19 school year, for students who need a more supportive

environment and who have moderate to severe needs. For 2019–20, LEA administration indicated the intent to hire six additional site-based behaviorists, in an effort to further reduce the number of LEA NPS placements. Additionally, interviews indicated the LEA is increasing special day classrooms for school year 2019–2020. Although the Multi-Tiered System of Supports is not fully implemented districtwide and with fidelity, the LEA is reviewing Student Study Team practices to ensure interventions and supports are available prior to referral for special education. One staff interviewee shared that IEP teams do not individualize the supports necessary for students with disabilities, but rather place students in available programs. In relation to this, the LEA, in the 2016–17 Performance Indicator Review, identified a root cause related to not meeting LRE, specifically, IEP placement is often determined by school site's availability and not the student's individual needs.

4. Although the LEA is currently implementing practices to assist in meeting its LRE targets, including moving to a push-in model program to support specialized academic instruction, the student record review identified IEP procedural violations which could result in a student being placed in a more restrictive environment. Most notably, the student record review identified six instances of noncompliance for not appropriately documenting the consideration of the potential harmful effects of the placement on the student. This federal requirement helps ensure students receiving special education and related services are educated in the LRE by having the IEP team consider and document any potential harmful effects the student may experience as a result of his or her placement in a more restrictive educational setting.

For example, a student's placement in a special day class with modified instruction that lowers the grade level standard of performance, may increase the academic achievement gap between the student receiving such instruction and his or her age level peers. A student placed in a NPS, with no access to the general education setting, may not have exposure to settings that provide positive educational and behavioral opportunities for extended periods of time. Discussing the potential harmful effects of the student's placement, or on the quality of the services that the student needs, is especially important to parents. Parents may not be aware of the possible consequences of a restrictive placement and the options of LRE with appropriate supports and services. Interviews with parents of students attending NPSs, indicated their students were making good academic progress. Two parents interviewed were pleased and felt the behavior management approaches the NPS provided were successful and did not believe their student would be as successful if attending a district school in a general education setting, although each parent voiced hope for their student to return to a general education setting.

Other areas of noncompliance, each with two instances of noncompliance, were identified as part of the student record review and may contribute to a failure to meet the LRE target, including: the lack of a general education teacher on a student's IEP team and the lack of submission of a report when an IEP team member's area is discussed and the IEP team member is excused from attending the meeting. More specifically, another instance of noncompliance was noted which identified placement decisions being made by an IEP team which did not include the required participation of a general education teacher. The failure of the LEA to have a general education teacher present at an IEP meeting creates an inability for the parent and other IEP team members to receive input related to the discussion of necessary accommodations and modifications, curriculum and behavioral supports to enable a less restrictive setting. Furthermore, the IEP team placement recommendation outcome may be more restrictive without the general education teacher expertise related to the general education setting options.

Most LEA interviewees indicated awareness the LEA is moving toward a push-in model, however, general education staff indicated concerns as to how students with disabilities are placed in general education classes, the lack of behavioral support trainings specifically related to students with an eligibility of autism, and an inequitable assignment of behavior aides. Interviews with general education teachers indicated appreciation for trainings related to students with special needs; however, five teachers requested additional professional development to support students' behavioral needs and training to accommodate and/or modify curriculum.

All three NPS administrators identified the following as barriers to returning students to LEA programs: the LEAs lack of sufficient behavior-related supports and behaviorally-trained staff, delays in response to immediate behavior needs, and large class sizes for students with disabilities. Additionally, the administrators shared that intensive behavioral needs are the primary reasons the LEA students are placed at NPS sites. All interviewees stated awareness of the LEA's efforts and supports to return students from NPS placements to special day classes provided and managed by the county office of education or LEA; however, more behavioral supports and strategies are required for successful implementation.

An NPS administrator shared a decision-making tool for IEP teams to assist in readiness determination for students to return to LEA programs; however, it is unclear if it is used by all NPSs. The NPS staff interviewees suggested the LEA administration conduct on-site and classroom observations to assist in the identification and determination of student readiness to return to the LEA or Sonoma County Office of Education programs, and it is unclear if this is a practice of the LEA. The student record review corroborated the LEA administrator interviews noting, it is not the practice for general education

teachers to attend and participate in the IEPs of students placed at NPSs. The participation of a general education teacher at the IEP team meeting provides the team, including the parent, with the necessary information concerning the general education classroom, such as, access to grade level core curriculum, larger class size, and both classroom academic and behavioral expectations. Moreover, the general education teacher can provide insight to the necessary modifications, accommodations, and supplemental supports and services for the student to be successful in the general education setting.

The CDE recommends the LEA: (1) include general education teachers at NPS IEP meetings for all students, particularly essential for students identified as currently in a position to successfully transition to a less restrictive environment; (2) identify students most likely to transition to less restrictive settings and develop one-year transition plans, including part-day models; (3) identify general education staff and aides to train in behavioral strategies to support students with autism in general education settings; (4) consider smaller LEA class sizes for students with severe behavioral needs; (5) consider professional development related to calculations of percentage of time in general education for both preschool and school age students; (6) consider customization of behavioral supports including counselors, aides, full inclusion specialists and nurses; and (7) include community supports such as California Children's Services, county mental health, and wraparound programs, when appropriate. Lastly, the CDE encourages the LEAs current efforts to implement strategies aligned to the LEAs 2018–19 PIR plan related to school age LRE.

Preschool Age Student Access to the Least Restrictive Environment

In the 2017–18 school year, the LEA did not meet the SPPI target for least restrictive environment specifically, for preschool students attending a general education early childhood program and receiving a majority of special education and related services in the general education setting. Interviews with LEA and site administrators indicated the LEA's preschool special education program is co-located with North Bay Children's Center Program, a child care and early education program, at Steele Lane Elementary. The LEA administrators indicated preschoolers participate in activities, including play and classroom buddy programs with Steele Lane Elementary students. The CDE recommends the LEA develop consistent schedules that document both curricular and extracurricular LRE. Additionally, the CDE recommends an LEA review of IEP documentation of the percentages of time a preschooler participates outside and in the regular class and in extracurricular and nonacademic activities. Lastly, the CDE encourages the LEAs current efforts to implement strategies aligned to the LEAs 2018–19 PIR plan related to preschool LRE.

Documentation of Completed Preschool Assessments

In the 2017–18 school year, the LEA did not meet the SPPI target for preschool assessments, specifically, the percent of preschool children in the LEA aged three through five with IEPs who demonstrate substantially increased improvement in: positive social-emotional skills, acquisition and use of knowledge and skills, and use of appropriate behaviors to meet their needs. Interviews with LEA special education administration document the LEA administers the Desired Results Developmental Profile for preschoolers. The CDE recommends the IEP document the assessment results related to the preschool child's demonstration of these skills and specifically, any substantial increase in skills and appropriate behaviors.

Eligibility Evaluation for Special Education within 60 Days

In the 2017–18 school year, the LEA did not meet the SPPI target of 100 percent for meeting timelines, specifically for determination of eligibility for special education and services and development and implementation of the IEP within 60 days. Five instances of noncompliance were identified as part of the Data Identified Noncompliance (DINC) monitoring process and reviewed as part of the CR. The results of the student record review indicated three instances of noncompliance related to failure to implement the 60-day timeline. In review of the LEA policies and procedures associated with the 60-day timeline requirement, the LEA was found compliant. Interviews revealed a belief that unfilled school psychologist positions contributed to a failure to meet the 60-day timelines. Interviews with LEA site administrators and service providers indicated the LEA has increased the number of school psychologists to 15, 5 of whom are interns. The CDE recommends continued efforts to retain and recruit school psychologists and reinforce with staff, the use of electronic database systems to review timelines and schedule IEPs.

Corrective Actions

The CR on-site review activities generated corrective actions in addition to the corrective actions provided in a letter dated March 29, 2019. Enclosed please find:

- A revised report providing a cumulative listing of the student level findings, corrective actions, and evidence of correction due dates
- A report providing a cumulative listing of the LEA level findings, corrective actions, and evidence of correction due dates

As a result of participation in the CR process, the LEA's annual determination under the Individuals with Disabilities Education Act is "Needs Intervention." LEAs in the "Needs Intervention" determination category are required to:

- Complete the student level corrective actions specified in the enclosed report by the specified date.
- Complete the LEA level corrective actions specified in the enclosed report by the specified date.
- Provide evidence, such as an agenda and meeting minutes, indicating the results of the CR have been shared with the LEA board members.
- Seek technical assistance to improve any indicator areas not already demonstrating improvement toward the statewide targets.

The LEA must complete technical assistance related to Indicator 3: Statewide Assessments; Indicator 5: Least Restrictive Environment; Indicator 6: Preschool Least Restrictive Environment; Indicator 7: Preschool Assessments; Indicator 11: Eligibility Evaluation; and Indicator 12: Part C to B Transition. The LEA must provide to the CDE evidence of completion of technical assistance activities such as training agendas, materials, and staff and administrator sign-in sheets for all related trainings, submitting evidence of correction to:

Heidi Brahms, Education Programs Consultant
Focused Monitoring and Technical Assistance Unit I
California Department of Education
1430 N Street, Suite 2401
Sacramento, CA 95814
Phone: 916-322-0373

Once the CDE has received and accepted the LEA's evidence of completion for all required corrective actions, the assigned regional consultant will schedule a Follow-up Review. The purpose of the Follow-up Review will be to determine if the corrective actions implemented by the LEA have remedied the previously noncompliant items.

The LEA will exit from the CR process once all corrective actions have been completed by the LEA and accepted by the CDE. Additionally, the LEA must no longer meet the criteria for selection for the CR process as demonstrated by improvement on SPPI targets and other non-indicator measures such as the percentage of complaint noncompliance.

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If you have any questions regarding this matter, please contact Heidi Brahms, Education Programs Consultant, Focused Monitoring and Technical Assistance Unit I, by phone at 916-322-0373 or by email at hbrahms@cde.ca.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Stie".

Lisa Stie, Administrator
Special Education Division

LS:hb
Enclosure

cc: Adam Stein, Director, Sonoma County Special Education Local Plan Area
Sonya Randrup, Coordinator, Special Education, Santa Rosa Elementary School
District

Individual Activities that Comprised the 2018–19 Comprehensive Review
Santa Rosa Elementary School District

Table 1 – Local Education Agency and Special Education Local Plan Area Protocols

Comprehensive Review Protocols	Documents Reviewed
SELPA Governance	SELPA Administrative Regulations
Policies and Procedures	LEA Administrative Policies and School Board Policies

Table 2 – Student Protocols

Comprehensive Review Protocols	Sets of Records Reviewed	Documents Reviewed
<ul style="list-style-type: none"> • School Age • Behavior Impedes Learning • English Learner • Infants • Initial Identification or Triennial Review • Interim Placement • Low Incidence • Nonpublic School • Preschool • Suspended or Expelled 	<p style="text-align: center;">29</p> <p style="text-align: center;">4</p> <p style="text-align: center;">11</p> <p style="text-align: center;">5</p> <p style="text-align: center;">11</p> <p style="text-align: center;">1</p> <p style="text-align: center;">4</p> <p style="text-align: center;">6</p> <p style="text-align: center;">6</p> <p style="text-align: center;">1</p>	<ul style="list-style-type: none"> • IEPs and IFSPs: initial, annual, triennial, amended; and other documents as maintained by the LEA in student special education LEA records, such as IEP meeting notices, excusal forms, assessment plans, and assessment reports
<ul style="list-style-type: none"> • Educational Benefit 	5	<ul style="list-style-type: none"> • Student special education records
<ul style="list-style-type: none"> • IEP Implementation 	15	<ul style="list-style-type: none"> • Student records, LEA billing information, provider interviews, attendance logs, and interviews