



CSIS California School Information Services

April 28, 2009

J. Brian Sarvis, Ed.D, Superintendent
Santa Barbara School Districts
720 Santa Barbara Street
Santa Barbara, California 93101

Dear Superintendent Sarvis,

The purpose of this letter is to confirm the preliminary findings and recommendations identified by the Fiscal Crisis and Management Assistance Team (FCMAT) and shared with you at the Santa Barbara School Districts office on March 20, 2009.

FCMAT study teams visited the district February 17-19, March 9-12, and March 16-20, 2009 to review data, gather information and interview staff members, community members, parents, and school board members. This letter summarizes the preliminary findings and recommendations. The full report will be issued in approximately six weeks with more detailed recommendations and findings.

The scope and objectives of this study were reviewed at the district orientation meeting held on February 23 and March 16, 2009 at the district office.

The following are the agreed upon study objectives:

Scope A: Parent Participation and Communication

1. Guidance to the district on the appropriate configuration of top administrative positions in special education with recommendations for accountability, oversight and responsibilities in order to restore public confidence.
2. Recommendations that clearly define a communication system within the district regarding special education litigation issues, defines the role of attorneys and outlines the components of an effective resolution process which eliminates the threat of retaliation and reduces litigation and complaints.
3. An analysis of parent input regarding the opportunities for parent involvement, district outreach and parent communication that currently exist and make recommendations for improvement, if needed.

FCMAT

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4. Guidance for the district on strategies to ensure that low income families can be guaranteed equal access to special education services.
5. Recommendations for effective communicating and problem solving models for staff and parents to build solid, trusting relationships with the special education department.

Scope B: Organizational Review

1. Comparative analysis of the current organizational structure of the special education department with recommendations to ensure effective clerical, program and administrative support.
2. Development of an effective organizational chart outlining appropriate reporting structures for all administrative support positions and functions in the special education department.
3. Recommendations to ensure stable leadership in special education in the future.
4. Current measures of staff morale and make recommendations for improvement, if needed.

Scope C: Fiscal Review

1. Recommendations that would increase revenue and/or curtail cost for the Santa Barbara School Districts. One of the options that will be carefully studied is the option of operating district regional programs.
2. A determination of the feasibility of the district becoming its own SELPA, including the associated expenses or costs savings, liability and compliance issues.
3. An analysis of the cost effectiveness of the existing county operated vs. district operated programs and recommendations regarding the best options for cost effectiveness
4. An evaluation of the current special education facilities consortia operated by the SELPA and recommendations to ensure that districts are not underwriting facilities costs, including the cost of special education preschool facilities of other districts in the SELPA.

Scope D: Program Review

1. An evaluation of the effectiveness of the assignment process for teachers and aides with recommendation for improvement, if needed.
2. An examination of the district's philosophy, programs and procedures in special education to determine whether they are consistently aligned with the district mission and core beliefs.
3. Feedback regarding the extent to which a Response to Intervention model (RTI) is being implemented.

4. An analysis of the staffing ratios, class and caseload size in relation to other districts across the state and legal mandates.
5. An evaluation of the effectiveness of the special education programs and services.
6. Evaluation of district procedures for determining the need for instructional aides, the provision of training for staff and the support for students when aides are absent, with recommendations for improvement if needed.

Overview

Curtailing costs and providing cost-effective special education programs can be accomplished, but will require a serious and dedicated effort on the part of the board, the superintendent, the administrative staff, and the program staff. As discussed throughout this letter, Santa Barbara Schools, both the high school and elementary districts, present serious systemic dysfunctions in a variety of areas that negatively affect their ability to operate cost-effectively. The special education program administration and the fiscal administration do not communicate effectively with regard to the development, monitoring, and closing of the books. Based on information garnered through several interviews, special education has not been an active participant in developing the special education budget, and the special education managers have had little or no training or experience in effective budget supervision.

Special education staff brought to the team the only personnel document of which they were aware. It was one they had created for hiring 1:1 instructional aides. They knew of no other personnel requisition forms for filling vacancies. When FCMAT presented a personnel form designed for that purpose to them, the staff indicated they had never seen such a form.

These examples reflect very serious breakdowns, particularly in a system that grants a great deal of operational license to its site principals. This can seriously undermine any meaningful position control system and serious attempts to contain costs.

The issues addressed in this letter are organized into the four major areas of review as listed in the study agreement:

- Parent Participation and Communication
- Organizational Review
- Fiscal Review
- Program Review

Although members of the study team continue to analyze and collect data, the following remarks summarize the preliminary findings and recommendations. A complete analysis will be forthcoming in the full report.

Parent Participation and Communication

Resolution of Special Education Complaints and Litigation

There are 14 open complaint and due process cases in which Santa Barbara Schools is represented by an attorney. Of these, 11 cases also involve parent attorneys. The need for an attorney to represent the district in so many cases stems largely from the lack of a special education director rather than from the complexity of the case. In prior years, the director would have handled several of these cases without an attorney or merely with the advice of an attorney.

Staff participating in IEP meetings as administrators, or administrative designees, have not had training in facilitated IEPs or alternative dispute resolution. There is no alternative dispute resolution activity in the district to resolve disagreements and avoid due process actions. Therefore, it is common for the issue to be primarily parent dissatisfaction with the services being provided.

Another result of the lack of an alternative dispute resolution process is that, since the site is not actively involved in attempts to resolve the disagreement, site-based ownership of special education does not exist at several school sites, resulting in a lack of services or inadequate services for students with disabilities.

Written policies and procedures do not exist, and information given to site staff by the special education district office is often inconsistent. Site staff report that asking the same question of different district office special education staff elicits different responses. This causes confusion and mistakes in responding to legal questions, and leads to complaints and due process.

Recommendations

The district should:

1. Require the new Executive Director to immediately begin developing written policies and procedures for use throughout the district. A number of resources can expedite this process, including the SELPA director's contacts with other SELPA directors.
2. Develop and implement a district-wide alternative dispute resolution process that includes training in the facilitated IEP process for all site supervisors.

Parent Involvement

Federal law related to students with disabilities has long recognized the importance of parental involvement in the schools. The Education for All Handicapped Children Act of 1975 (P.L. 94-142), now known as IDEA, established procedural safeguards and an important role for parents to ensure that their children have access to a free and appropriate public education. The 1997 amendments to IDEA strengthened the parental role and improved the way parents, teachers and administrators went about the important work of ensuring quality education for close to 6.1 million children with disabilities (U.S. Department of Education, 2001).

In an effort to measure parent involvement in the Santa Barbara Schools, surveys were mailed to all special education families. Most parents did not respond to the survey. Most of the parents who did respond reported feeling involved in the special education process. Seventy-five percent of the

respondents felt like an equal member of the IEP team. Overwhelmingly, parents who responded to the survey indicated that they understood why their student was receiving special education services (98.2%) and had an opportunity to express their concerns in the IEP meeting (92.2%).

In contrast, in the parent meetings scheduled for this study, most parents said they did not feel involved at the district level. Many parents who attended the feedback meetings reported feeling connected with their school site but expressed frustration about the lack of opportunities for involvement at the district level. Parents who attended the meetings shared a distrust of district administration and some said they felt intimidated about sharing concerns.

Recommendations

The district should:

1. Adopt a special education vision statement, a mission statement to implement that vision, and a policy that commits to a free, appropriate public education for all students with a disability regardless of socioeconomic status, ethnicity, and English language facility.
2. Require the parent resource position to work with the special education office to organize parent trainings and opportunities for involvement in the district.
3. Immediately improve communication mechanisms throughout the district.
4. Immediately begin resolving issues such as out-of-compliance IEPs, parental involvement in the IEP process, and the provision of appropriate services to children identified with special needs.
5. Strongly consider the use of an outside facilitator to assist with implementing the FCMAT recommendations and foster school/family communication.

District Outreach

Interviews and survey results reveal no coordinated district outreach to parents of students with disabilities. The district had previously sponsored a parent group called Special Education Parent Advisory Committee (SEPAC) but it was disbanded due to reduced parent participation. According to staff and parents, SEPAC had become dominated by a small group that made other parents feel it was not an effective forum for communication and problem solving.

Recently a new parent group was formed called the Special Education Advisory Committee (SEAC). This group was not organized or sponsored by the district, and the parent organizers are responsible for running the group. This has led to confusion about the role of the group, membership, effectiveness and how other parents can participate.

Most parents who responded to the survey were not aware of opportunities to participate in support groups or parent trainings. The survey data revealed that parents were divided as to whether or not they knew who to contact with questions or concerns.

Opportunities for parent training are further limited by the Parent Training and Information Center (PTI) that serves the Santa Barbara area. PTIs are prescribed by the IDEA and funded by

the U.S. Department of Education. PTIs are required to provide parents of children with disabilities (including low-income parents and parents of children with limited English proficiency) with training and information on disabilities, rights, parent support groups and other resources.

The PTI for Santa Barbara County is Team of Advocates for Special Kids (TASK). TASK is based in Anaheim and serves counties from San Diego to San Luis Obispo. Unfortunately, TASK does not have an office or currently provide any training in Santa Barbara or Ventura counties. TASK does have an office in San Luis Obispo and has one training scheduled.

The team also noted that the Santa Barbara Schools' Web site is not constructed with meaningful communication and outreach in mind, particularly for Spanish-speaking parents. According to the Ed-Data Web site, in 2007-08 46.2% of K-8 and 17.2% of high school students in the district were Spanish-speaking English language learners. With such a large Spanish-speaking population, an initial window should offer the option of information in English or Spanish. Instead the window opens to a cluttered Web site in English, with the choice for "Español" in very small red font at the bottom left. When the special education pages are viewed in English, extensive information is provided. In Spanish, however, an Acrobat file of the parental rights statement is the only information provided.

Because there is no system for outreach to parents and few training opportunities exist, many parents are filing due process hearings to resolve what appear to be minor issues.

Recommendations

The district should:

1. Establish an advisory group sponsored by the district and coordinated by the Executive Director of Special Education that follows guidelines in Education Code section 56190 for SELPA community advisory committees. The advisory group should be appointed by the board and composed of parents of students with exceptional needs recommended by school site councils; students and adults with disabilities; regular and special education teachers; representatives of other public and private agencies; and others concerned with individuals with exceptional needs. The advisory group should provide an annual report to the board. Monthly reports to the board are encouraged to ensure that appropriate action is being taken to improve communication and that special education students receive appropriate, timely services. The group should have annual goals and should address a wide range of topics including curriculum, fiscal planning, parent concerns, and parent training, based on the needs parents have identified.
2. Require the new Executive Director of special education and the public information officer to work collaboratively to ensure that information on special education is readily and easily available to all constituencies, including parents.
3. Reconstruct its Web site to improve the quality of information for parents and the community. Provide Spanish-speaking parents and community members with the same quality and quantity of information provided to English-speaking individuals. Consider utilizing interns from the University of California, Santa Barbara for this project.

Organizational Review

Organizational Structure

FCMAT analyzed the current organization structure of the special education department and made initial recommendations to ensure effective clerical, program and administrative support. These were provided to the governing board on March 10, 2009. The board voted to implement the organizational restructuring for the 2009-10 school year.

FCMAT will develop an organizational chart outlining appropriate reporting structures for all administrative support positions and functions in the special education department that includes recommendations to ensure stable special education leadership in the future. These charts and information will be included in the full report.

The special education program has lacked stable leadership because of the high turnover rate in the director position. Over the last eight years, the district has employed seven different directors. A lack of consistent leadership commonly results in serious erosion of a program's cost-efficiency. The usual result is a fragmented program with little internal consistency. Although the program demonstrates serious need for experienced and effective leadership, the most recent two directors possessed very limited background and little experience in special education leadership.

Of the nine comparable districts studied by FCMAT, three have recently adjusted their organizational leadership structure. This indicates that, over time, comparable districts have made administrative changes in special education as their populations change and as programs necessarily evolve in response to changing conditions. This information will be further detailed in the full report.

Community members' comments reveal a strong undercurrent of mistrust in the district's leadership, particularly with respect to special education programs. Further, there is lack of communication and common understanding between school site leadership and the families served regarding realistic expectations for special education. Therefore, frustration and lack of trust extends among many parents with regard to the school site leadership that oversees their children's programs.

Within the organizational structure, there is a great deal of confusion about who is responsible for overseeing the special education staff. In a site-based organization, the roles of the centralized program leadership and the school site leadership need to be very clear and well understood by all parties involved. The team found that lack of role clarity has led to confusion on the part of district staff. Program specialists are utilized as case managers with responsibility for the IEP process, including the scheduling of IEP meetings. Administrative designees in IEP meetings often lack knowledge and understanding of the district's programs and resources and the clear authority to allocate those resources. School sites operate without a core vision and mission statement for their special education programs and with little or no guidance from the special education department.

As noted, Santa Barbara Schools has had seven special education directors in the past eight years. This includes one consultant who was hired on two different occasions to assist the district during times when a permanent district director was not employed. The interviews with previous special education directors as to why they had left the position revealed several common themes. These included:

- Hired as a temporary director.
- Personal life choices.
- Department was understaffed so they could not perform the duties of the position with the required level of professionalism.
- Perception that the director position did not have the authority required to make final decisions. When decisions made were unpopular, the decision could be overturned at a higher administrative level.
- Perception that when decisions were made by the director, implementation was often delayed because of a layered decision-making process.
- Perception that the time required to respond to complaints, conduct due process and make actual filings was significantly affecting department effectiveness.

Recommendations

The district should:

1. Consider changing the Director of Special Education title to Executive Director. This was approved by the school board March 10, 2009.
2. Clearly delineate and define the primary responsibilities of the director to include, but not be limited to:
 - interdepartmental communication, particularly with fiscal and business services, human resources, and curriculum and instruction;
 - interaction with the Santa Barbara County SELPA on behalf of the district;
 - responsibilities for SELPA, state and federal reports;
 - budget development and supervision;
 - oversight of dispute and complaint resolution, including alternative methods of resolving disputes;
 - responsibilities with regard to Section 504 requirements;
 - oversight of nurses and other support personnel;
 - development of a vision and a mission statement for the education of students with disabilities in Santa Barbara Schools, in consultation with all affected constituencies;
 - responsibilities for organizing, implementing, guiding, monitoring, and evaluating a cost-effective program structure for providing special education services.
3. Clearly delineate and define the responsibilities of subordinate position(s) including but not limited to:

- identifying, negotiating contracts for, and monitoring services from certified nonpublic, nonsectarian schools and agencies;
 - coordinating and monitoring extra-district placements in county office-operated programs and other programs operated within the Santa Barbara County SELPA;
 - coordinating and monitoring placements in the state schools;
 - case management for students requiring highly specialized services;
 - implementing the Santa Barbara Schools' Special Education Self Review;
 - supervising assigned designated instruction and services staff, itinerant and home/hospital instructors, and other support personnel;
 - implementing and overseeing the Special Education Information System to ensure that it can provide real-time information as needed, and that the reports for the purposes of the California Special Education Management Information System (CASEMIS) can be provided accurately and timely.
4. Clearly delineate and define the responsibilities of program specialists, which should include but not be limited to:
- alignment between the core curricula and the curricula provided to students with disabilities;
 - developing highly individualized curricula for students with severe disabling conditions that present major barriers to successful alignment with the core curricula;
 - providing mentoring support to instructional staff during the first three years of their employment and as needed thereafter;
 - facilitation of potentially contentious or adversarial IEP meetings;
 - planning and implementing staff development programs;
 - assuming case management responsibilities when student is being considered for a change in placement to a more restrictive education setting; and,
 - collaborating with site principals on evaluations of special education and support staff.

Effective Communication and Problem-Solving Models

In an effort to measure staff morale, a survey was mailed to all staff. Most of the staff who responded indicated that their job morale is not high (55%). The results also showed that 80% of staff indicated the morale in their department is not high.

Respondents indicated that special education teachers do not feel valued by the district (72.4%) but do feel valued by the community (70.6%) and their students (90.5%).

Staff reported not being listened to with regard to decision making (75%) and perceived that there is retaliation toward those who complain (72.4%). Despite reporting low morale, 96.5% of respondents indicated that they feel pride in their work.

Other factors that were reported to reduce staff morale are the lack of staff development (88.8%), turnover in special education staff (96.7%), lack of clear expectations (97.5%), lack of support from the district office (89.6%) and lack of support from site administrators (73.2%).

As is common with special educators across the state, respondents indicated that morale is negatively affected by increasing IEP and paperwork demands, lack of resources, increased demands from parents, lack of parental involvement and lack of time for planning and collaboration.

Many parents stated that they must push to receive the necessary special education and support services. Both parents and staff interviewed reported confusion regarding where and how to resolve special education issues. There is a perception among parents and staff that many children with disabilities will only receive the services requested by parents if they are represented by an attorney.

Special education procedures and services are inconsistent from site to site. This is a result of the high turnover rate in the special education director's role and is exacerbated by the absence of written policies and procedures and inadequate communication throughout the system. Staff report that the phones in the special education offices often are not answered and that messages are not returned. Answers from different administrators to the same question, when finally received, might well differ considerably. Monthly staff meetings are held for all special education staff and some job-alike groups. Staff report that the large size of the group has made the meetings ineffective.

Staff and parents are confused about who has what authority in the special education department and who to call for what problem. The respective roles and responsibilities of school site and district personnel are unclear. Principals do not take a leadership role at their school site to ensure special education services are provided in a timely manner. Principals do not receive appropriate training in understanding special education law, parental rights, and fiscal oversight.

Although the SELPA has developed a parent handbook, most parents indicated they were not aware of it.

Most of the parents who responded to the survey reported that they were involved in the IEP process. However, a significant vocal group of parents expressed to the team that the district does not seem to be committed to working with students with disabilities and their families.

Recommendations

The district should:

1. Require a response to all e-mails and phone calls as soon as possible, within 24 hours. Improve the phone system to ensure that all calls to the special education department are received and answered, and immediately routed to the appropriate person.
2. Ensure that the Web site includes information about the special education department, who to contact and what parent training or participation opportunities are available.

3. Ensure that job-alike groups have regularly scheduled meetings, with preset agendas available in advance.
4. Ensure that principals and other site-base managers receive immediate and ongoing training in all areas of special education service.
5. Ensure that the Executive Director of special education works with special education directors, parent resource staff, the special education advisory committee, and program specialists to identify training needs and develop a schedule of staff development activities for which attendance is required. To the extent possible, utilize the trainings already established by other groups, including the SELPA and UC Santa Barbara.
6. Establish a clear chain of command and organization/communication chart. (A prototype chart will be included in the full report.) Post this information on the district Web site for staff and parents.
7. Train site staff and site administrators in special education legal requirements, procedural safeguards, IEP development, conflict resolution, parent rights and associated timelines. Communicate to principals that they are responsible for providing a free, appropriate public education (FAPE) for all students with disabilities at their sites.
8. Ensure that a staff procedure manual is developed and kept current to provide guidance to special education staff and site administrators.
9. Ensure that the Parent Handbook is updated, publicized, and made available in both English and Spanish to parents.
10. Ensure that all staff understand that IEPs need to be immediately implemented, as written, to ensure that the district is in compliance.
11. Provide disability awareness training to site administrators and general education teachers.
12. Form a committee consisting of representatives from each group with an interest in the outcome to develop a mission statement for the department and clarify the philosophy of serving special needs students. This philosophy will guide program development.
13. Contract with someone who is skilled in developing mission statements and facilitating groups to provide structure and transparency to the process. This consultant should also assist in developing trust between the various constituency representatives and ensuring that the process is completed in a timely manner. Present the mission and philosophy statements to the school board for approval.
14. Include the vision, mission, and philosophy on the district's Web site and in all special education manuals/handbooks so that all teachers, parents, and community members are aware of the focus for special education.
15. Develop program options from the philosophy that ensure a range of services in the district and SELPA for Santa Barbara's students with disabilities.
16. Have the special education department work with the District English Language Advisory Committee to coordinate trainings for parents who do not speak English.

SELPA Formation

The funding model used by the SELPA districts seems fair and appropriate. There is no persuasive advantage for the Santa Barbara Schools to form their own SELPA at this time.

In the future, when efficiencies and proper processes and procedures have been developed for the special education programs of the Santa Barbara Schools and are working effectively, the district may want to revisit the concept of becoming a SELPA.

Recommendations

The district should:

1. Continue to participate in the Santa Barbara County SELPA.

Fiscal Review

Maximizing the Special Education Budget

The most significant factor affecting the district's special education program costs is the lack of adequate centralized oversight of the district's site-based management.

The district does not use an appropriate process for hiring, replacing or validating position control for special education positions. This can easily result in excess staffing or staffing patterns that don't reflect program needs.

The special education department does not monitor the special education budget. Sites spend special education dollars without any meaningful centralized control. This results in a higher level of contribution from the general education budget.

The recent passage of the American Recovery and Reinvestment Act suggests that Santa Barbara Schools will receive a considerable increase in available funds over the next two years. These funds should be used to reduce the level of general fund contribution through the implementation of Section 613 of the IDEA and to fund many of the recommendations made in FCMAT's final report.

A review of payroll data and special education staffing lists revealed coding errors.

The only obvious avenue to improve the revenue stream is through a concerted effort to maximize the revenues from Medi-Cal billing and MAA. This effort could significantly contribute to the fiscal health of the districts.

Recommendations

The district should:

1. Develop an expedient hiring process that ensures appropriate need and budgeting. This would include:

- use of a personnel request form that is routed for appropriate approval signatures before hiring takes place
 - use of a position control system to guard against hiring FTE that exceed the budget
2. Ensure that special education budgets are developed collaboratively by the business office, special education office, and site administrators. Because these revenues are districtwide, the budget should be monitored by the special education office to ensure effective and cost-efficient use of all special education resources.
 3. Perform a monthly review of special education budgets that includes completing budget transfers and budget increase/decrease forms as needed. This review should include the reconciliation of position control to payroll at least twice a year.
 4. Ensure that the business office provides training to key personnel in the special education office on the meaning and use of SACS codes. Recommendations regarding special education coding will be included in the final report.
 5. Forgo district operation of regional programs at this time.
 6. Maximize Medi-Cal billing and the submission of MAA claims.
 7. Review and restructure the administration of special education to be more supportive, involved, and responsive in providing cost-effective site-based programs.
 8. Adopt the two-year action plan that has been developed and recommended by the staff and is based on the districts' responses to the findings and recommendations provided by FCMAT at the board meeting of March 10.
 9. Utilize the services of an outside facilitator with the appropriate skills to help develop and implement the two-year action plan.

Cost Effectiveness of County- vs. District-Operated Programs

FCMAT was asked to determine whether it would be more cost-effective for the Santa Barbara Schools to operate regional programs for their students rather than having the Santa Barbara COE provide the services.

On initial review, it appears that the COE is best equipped to provide the most cost-effective regional programs. However, FCMAT will examine this area more closely and specific findings will be included in the full report.

Concurrent with this FCMAT review, the SELPA has asked a consultant to review the fiscal and logistical operation of the regional programs. The outcomes of this study, as well as any further findings by FCMAT may affect any decision by the districts regarding the operation of additional regional programs.

Therefore, it would be premature to make a specific recommendation at this time.

Special Education Facilities Costs

A review of the special education facilities agreement shows it to be fair and equitable. The team has no specific findings or recommendations at this time.

Program Review

Equal Access Issues

Many low-income families in the district feel underrepresented and disenfranchised. They expressed these concerns in writing and at public parent focus meetings.

Free and reduced lunch data revealed that 60.5% of students in the elementary district and 35.3% of students in the high school district are from low-income households as compared to 51.8% for Santa Barbara County as a whole. This is a large segment of the population, and many of these parents at the parent sessions expressed a lack of communication, trust and appropriate services being provided to their children.

The district has not trained staff on working with low-income families. While most parents surveyed report that the communication is adequate, it is not consistent among all parents.

Recommendations

The district should:

1. Assess the training needs of staff with regard to working with low-income families.
2. Provide interpreters and child care at meetings to encourage participation by non-English-speaking families, low-income families, and others who might require the service.
3. Train teachers on strategies for working with low-income and Spanish-speaking families.
4. Connect with community organizations that serve low-income and Spanish-speaking families to arrange geographically convenient meeting places and/or transportation to parent meetings.
5. Provide parents with a hotline number to provide answers to special education questions. This should be available in Spanish and English.
6. Focus the work of the parent resource staff on working with low-income and Spanish-speaking families to ensure their parental rights and the provision of appropriate services to their students in a timely and compliant manner.

Staffing Procedures

The special education department could not provide an accurate staffing list that reflected the total FTE funded by special education, or the class sizes and caseload numbers. The department has no established staffing formulas or process with which to build an appropriate staffing plan for all services and programs.

Both the psychologists and the speech pathologists report considerable inequities with regard to the assignments and caseloads in their respective groups. There is no transparency in the decision-making process and the rationale for the allocation of services is not clear.

Delays in hiring instructional aides and unfilled positions (e.g., speech therapists) result in failure to provide required services for students. This raises compliance and program effectiveness

issues. Survey results indicated that 70% of the parents felt that the services were delivered as outlined in the IEP, yet 62% felt the services were effective.

Instructional aides do not have sufficient training and support to provide the appropriate services for students.

Assignments for aides, teachers and designated instruction and services (DIS) providers do not always match the employees' credentials and skills. The district philosophy of site-based management drives a decentralized approach to staffing in the special education department. All special education teachers and aides are hired, supervised and evaluated by the school principal.

When a site needs a special education instructional aide because a currently employed aide is leaving, a site staff member contacts the personnel department by phone or e-mail. The same process is followed when site staff determine through an IEP that an individual aide is required. The hiring process takes two to three months, and there is no substitute aide pool.

Substitute teachers, at substitute teacher pay, fill in for absent aides. Aides are not required to sign letters of intent to return to their position the following school year, which creates a shortage of aides at the beginning of the school year.

Special education is not the responsible party for notification when an aide is leaving. The department does not determine where an aide is assigned based on training and experience, approve transfers, or monitor the continued need of aides at school sites. When aides are hired they are told, both verbally and in writing, that they are hired by the district for the district. However, the individual school sites operate under the philosophy that the aides belong to them.

The SELPA has a policy for assigning 1:1 aides for regional programs, but not for assigning, monitoring, fading, or supporting 1:1 aides. The special education department recently distributed a SELPA form for teachers to use in reporting how these aides are utilized.

In most cases, once a special education aide is assigned to a school site, either to a classroom or 1:1, the aide is not moved when the circumstances for placement have changed. At many sites, aides are not considered part of the special education team. This is not true at all sites, but was reported by teachers, related service providers and aides at the elementary, junior high and high school levels. In those sites that are not inclusive, aides are not shown IEPs, are not given student goals or student behavior plans, are not included in IEP or staff meetings, are not allowed to speak with parents, and are not included in or allowed to go to trainings.

The role of special education in the district is not clear to the staff, parents and administration. They frequently ask, "Whose staff is it?" Parents perceive that the central office is not supportive of teachers and staff. The school principal is primarily responsible for the assignments of special education staff on each site.

The special education department has no oversight responsibility for the use of special education resources and no authority to ensure accountability in the provision of special education

and related services to students. The site principal may assign special education aides to general education duty assignments such as playground duty and PE. There is no system of assigning aides for each school year, and 1:1 aides often do not follow the student to support the transition between levels. Once hired, aides often remain at the school site in other positions assigned by the principal.

Recommendations

The district should:

1. Develop a staffing list that reflects the total FTE for all certificated and classified staff that aligns with the function codes for special education available in the business office and accurately reflects the specific site assignments for all special education staff.
2. Create and implement staffing formulas for all program options and services that align with the standards of practice and legal and contractual requirements.
3. Explore options for increasing efficiency in the instructional aide hiring process to decrease the lapse in time from hire to start date. Develop interim strategies to fill open instructional aide positions with trained staff until a permanent employee is hired. Consider creating some float positions to fill in as needed.
4. Design a training module for newly hired instructional aides to provide direction and preparation in the management of student behavior, orientation to specific disabilities, etc., that is completed before their official start date. Design a sequence of staff development activities for all instructional aides. Provide adequate release time for instructional aides to access this training.
5. Send an annual notice of assignment to aides and teachers that establishes communication between the department and special education staff.
6. Monitor assignments to ensure that staff are appropriately certified and trained for the specific assignment for each school year.
7. Provide transparency with staffing formulas. This will ensure:
 - a common understanding of the rationale for staffing decisions
 - the opportunity for site principals to provide input on programming needs
 - staffing assignments with appropriate credentials and skills
 - the opportunity for training and support for specific skill areas
8. Adopt board policy and administrative regulations to define the roles and responsibilities of special education in the district and the relationship of that role with the school sites.
9. Define the role of site principals with regard to special education staff supervision and evaluation.
10. Establish accountability standards for the use of special education resources.

11. Develop a process for hiring general special education aides wherein special education helps to determine the need for an aide at a site before the hiring process begins. Maintain a pool of aides available for hire, including aides that function as substitutes. Recruit and interview aide candidates regularly.
12. Hire a specific number of full-time substitute and interim aides for new 1:1 positions. Review aide duties in collaboration with the special education department, department chairs, and site principals to ensure that aides are utilized for their assigned purpose.
13. Develop detailed procedures for a site or parent request for a 1:1 aide that includes forms completed prior to the IEP team meeting, and how to use them to make child-based/data decisions. When the decision is made to have a 1:1 aide, include the IEP goals, plans for aide and student absences, and a fading plan.
14. Develop policies and procedures that clarify special education aides' status as district employees that do not belong to a site, and the role of the site with these positions.
15. Develop a handbook to assist aides with their everyday responsibilities. Include items regarding disability awareness, how to handle behavioral issues, modifications and accommodations, and confidentiality.

Philosophy and Procedures

The special education department does not have a written mission, vision, or philosophy for the operation of special education services.

Since the districts operate on the principle of site-based management, special education services are primarily managed at the sites. Thus, each school is staffed with resource specialists, special day class teachers, and support services. Each school site determines its program delivery model.

The elementary schools use the term "learning centers," which generally means the special education teachers instruct resource specialist programs (RS), special day classes (SDC), recipients of other categorically funded programs, and non-identified students. There are also a variety of other delivery models that incorporate different understandings of Response to Intervention (RTI).

The secondary programs also vary, with some sites offering special education classes only in English and math and others offering special education classes in the sciences and history. The constant at each of the secondary sites is the independent instruction (II) classes. Yet, the II classes do not have the same structure or purpose at each school site. Some teach strategies such as Advancement Via Individual Determination (AVID), some do only homework, and some have incorporated other additional instruction.

Recommendations

The district should:

1. Determine methods of ensuring consistent program delivery models and equity of services across the district.

Response to Intervention (RTI) Model

Although the district has a board policy and administrative regulation regarding student study teams (SSTs), there is no consistency in how SSTs function at individual school sites. No data is collected regarding SSTs. Although there are no state guidelines for percentages of students referred to special education from an SST, most students referred to an SST would not be assessed for special education. However, in Santa Barbara Schools, nearly all of those referred tend to be found in need of and eligible for special education services.

The districts' identification rate for students with disabilities is 12% as compared to 10.4% in the county and 11% in the state. The philosophy behind RTI would indicate that its effective use should decrease the percentage of students identified for special education.

All principals have been trained in the pyramid concept, as described below. Each school has developed its own definition of RTI.

The role of special education in RTI could be any one of the following depending on the school:

- No involvement at all
- Teaching non-identified students in a pull-out or push-in program
- Providing instruction to a group of students where the school has a leveled program for reading
- Involvement at the referral stage

When training has taken place at a school site, such as AVID, special education teachers may or may not have been included. In some cases, the special education department was not aware that the teachers had been trained. The district's psychologists and speech therapists are aware of RTI. Some have participated in training at their school site, some have attending trainings out of the district, and some have not had any training at all. At this time, RTI is not included in the decision-making process for special education.

Recommendations

The district should:

1. Evaluate the effectiveness of the RTI programs in use and seek to implement a districtwide RTI model that ultimately decreases the need for special education and related services.
2. Establish a districtwide study team process that establishes clear guidelines and data to determine when a student will be referred for a special education assessment. Collect data from the SSTs to help the sites determine the effectiveness of this process.
3. Develop a districtwide plan for RTI delivery at each school site and special education's role in RTI. Include how training and materials will be provided for the special education staff. Train all psychologists on how to use the information from RTI in the decision-making process for special education.

Staffing Ratio, Class and Caseload Comparison

The district does not offer a full continuum of special education programs and services. All students are assigned to their home school and each school is required to design programs and services to meet a wide variety of needs. Both the emotionally disturbed (ED) and autism populations require more intensive services than are available at the school sites. Parents and staff expressed concern that there is a high need for ED programs for students with externalizing behaviors and specialized programs for students with autism requiring intensive services.

The statewide average for nurses in California is 1:2219. The district has a ratio of 1:3924. In addition to general education duties, the nurses perform assessment, specialized health care, training and support to students with disabilities. Increasing the nursing FTE by three positions would reduce the ratio of nurses to students to 1:2242, which is more in line with the statewide staffing practice.

In the absence of a clearly defined staffing formula, FCMAT analyzed staffing ratios based on the program function codes to which the special education staff is assigned. Although the district uses a learning center model, it continues to code teachers as either RSP or SDC.

- The average RSP caseload is 22.8 students. The Education Code has a cap of 28 students per resource specialist. The contractual language in the Santa Barbara Schools teacher contract has a specific maximum of 28 students per special education teacher. The district is well within the range and legal requirements for RSP.
- The average SDC caseload in SDC is 20.8. The Santa Barbara Schools teacher contract specifies a maximum of 28 students. School Services of California (SSC) guidelines are 12 students in SDC at the elementary level and 12-15 students at the secondary level. Santa Barbara clearly exceeds this guideline because of the learning center model. The district should continue to evaluate the effectiveness of this model and ensure that the needs of all special education students are met. The needs of students must drive the model rather than the model driving the programs and services.
- FCMAT incorporated all ED and transition programs into the calculations for severely handicapped (SH) programs. The average caseload in SDC SH is 11. The SSC guidelines are between 8-10 for most low incidence areas and 10-12 for developmentally delayed.
- The adapted physical education (average 52) and Title VI (21.3) are well within the SSC guidelines.
- The developmentally handicapped (DH) average caseload is 6.7. SSC's guideline is 10-30; however, district staff indicated that the services are spread out over a wide geographical area.
- The ratio of psychologists to students in the district is 1:923. This includes the responsibility for providing counseling to special education students. The ratio of psychologists to students based on the CBEDS count in 2007-08 is 1:1328. A reduction of five positions could yield \$425,740 in savings to the district.

A number of professional and parental sources informed the team that district site administrative staff often meet with the parents of students with disabilities who are being considered for expulsion and encourage them to seek voluntary enrollment in the community school operated by the Santa Barbara COE. Since the SELPA and the COE have apparently agreed on a maximum number of students that can be enrolled in the community school who have placement in a special class required on their IEP, the site administrator and parent will agree to change the student's placement to resource specialist to bypass this hurdle. Then, when the normal voluntary enrollment period expires, the site administrator opposes efforts to return the student to his/her school. This raises many compliance questions and appears to circumvent the requirement to determine whether or not an offending behavior is a manifestation of the student's disability. The district, SELPA, and COE should work together to discontinue this placement process.

Recommendations:

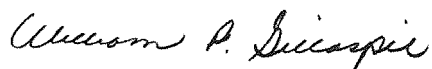
The district should:

1. Increase the staffing level for nurses from 3.0 to 7.0 to align more closely with the statewide ratio of 1:2219.
2. Develop a special education strategic plan that clearly outlines the range of services available, particularly specialized programming for students with emotional disturbance and autism.
3. Reduce the FTE for psychologists by 5.0 for a savings of \$425,740, and give individual school sites the option to purchase additional psychologist services with site funds.

This exit letter is a brief overview and summary of findings and recommendations as they relate to the study agreement. The FCMAT study team continues to collect information and analyze data. A full report will be forwarded to you in approximately six weeks for your review.

Thank you for allowing FCMAT the opportunity to work in your district. We hope that this study is beneficial to all concerned.

Sincerely,



William P. Gillaspie, Ed.D.
Chief Management Analyst