



# Community Advisory Committee

**For Special Education** Advising the Board of Education for San Diego Unified School District

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Date: June 30, 2008  
 To: San Diego Unified School District  
 Board of Education  
 From: Stephanie Fimbres, Chair  
 Subject: 2007-2008 Annual Report

## Introduction

The California Education Code (Part 30, Chapter 2, Article 7, Section 56190) requires each Special Education Local Plan Area (SELPA) to establish a Community Advisory Committee for Special Education (CAC).

The CAC advises the Board of Education and the Special Education Program Division (SEPD) regarding issues related to special education, provides access to training and information and works collaboratively with the school district to improve student outcomes. The CAC participates in the development, amendment and review of the Local Plan for Special Education and recommends annual priorities to be addressed by the plan. The Local Plan describes how services will be delivered to special education students in accordance with federal and state laws.

The Community Advisory Committee for Special Education (CAC) is composed of volunteers, including parents of individuals with exceptional needs enrolled in public and private schools, parents of other students enrolled in school, pupils and adults with disabilities, general and special education teachers, other school district personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs.

It is the intent of the CAC to strive to maintain a voting membership of parent representatives reflective of the diversity in the SDUSD SELPA with regard to cultural, geographic, and socioeconomic factors, as well as type of disability, service delivery model, placement, age and grade level.

Membership of the CAC for SDUSD has increased during the school year and we are currently composed of 18 members (13 parents; 3 school personnel; 1 agency representative and 1 concerned individual). This year 5 applicants were recommended by the Committee for membership and approved by the Board of Education. The CAC has 10 general meetings per year during the months of September through June. Meetings include an 'Open Forum' where the public is invited to present information to the Committee. In addition to responsibilities defined in the California Education Code, the Committee fulfills responsibilities that are defined for it in the local plan and CAC bylaws. Some of those activities include providing information to parents via newsletters, workshops, conferences, community resource fairs, district websites and local agency websites.

## **Review of CAC Accomplishments and Activities (2007-2008)**

Through the implementation of work plan developed at the CAC planning session in July 2007, district parents and students received information, resources and support. The CAC has identified the following accomplishments for the past school year:

- Collaborated with the Special Education Program Division to promote training opportunities for parents and professionals
  - ✓ Involved Exceptional Parents Day Conference
  - ✓ Fiesta Educativa Conference
  - ✓ Orientations to Special Education
  - ✓ Back to School Event-Lincoln High School
  - ✓ Community Forums: Mason Elementary School, Lindbergh/Schweitzer School, Lincoln High School
- Addressed Encore issues with District administration
- Participation on the Executive Work Group and supporting Work Groups established after board approval of the Tom Hehir recommendations
- Collaborated with community agencies on trainings and information for parents
- Published newsletters/disseminated CAC brochure
- Participated in Community Resource Fairs
- Tracked issues brought forward to the CAC
- Sponsored the Annual Above and Beyond Awards recognizing staff, parents, students and community representatives for their accomplishments

### **Annual 'Above and Beyond Awards'**

On June 5, 2008, the CAC, in collaboration with the Special Education Program Division (SEPD), honored individuals who have contributed significantly above and beyond the usual expectations in the area of Special Education. This year we were pleased to honor...

- Veronica Castrejon: Student at Kearny High
- Dr. Joe Fulcher: Principal at Riley
- Debbie Green: Volunteer at Taft Middle
- Judge Susan Huguenor: Superior Court-Juvenile Division
- Alicia Salazar: Resource Specialist at Perkins Elementary
- Ian Stravinsky: Special Day Class Substitute Teacher at Jackson Elementary
- Dave Stebbins: Special Education Teacher at University City High School

Our thanks and appreciation to all award recipients and nominees for their outstanding contributions in special education!

## Issues and Concerns

### 1. Implementation of Student IEPs

The most prevalent concern of parents brought to the CAC is the failure of the District to implement student Individualized Education Programs (IEPs). Supports and accommodations indicated in IEPs are not consistently provided as required by California Education Code. Some common IEP related services and supports which are of concern pertaining to failure to implement the IEP include; behavioral intervention and support plans, provision of trained and qualified staff, physical access issues, access to core curriculum, enrichment courses and extra-curricular activities in accordance with the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA 2004).

Regardless of budgetary or staffing constraints, IEPs must be implemented as written. There is great concern that as more students return to their neighborhood schools that this problem will escalate. All school site staff must be better educated regarding the IEP process and legal requirements in accordance with the state and federal law.

### 2. Specialized Academic Instruction

The Special Education Division first informed the CAC in March of 2008 of the District's intention to change the documentation of primary service to "Specialized Academic Instruction" (SAI) on the IEP for many students receiving special education services. SAI changes the way special education services are described and categorized. The CAC was not asked for input or even aware that this shift was occurring. There is a great deal of confusion and misinformation surrounding this issue for staff and families.

This potential change is occurring at the same time as the district is facing severe budget cuts. Our community is concerned that students will receive diminished special education services, be combined in larger classes and receive **less** specialized instruction that is unique to their individual educational needs. Some parents and staff have reported to CAC members that this transition is occurring at an alarming pace and at the same time, more students are returning to the general education environment at their neighborhood schools.

### 3. Encore' Computerized Individualized Education Program System

The CAC supports the concept of an online IEP system as ordered in the corrective actions in **Case # S147- 96/97**. Parents and teachers alike continue to report concerns and frustrations.

**Ongoing challenges and concerns impacting student outcomes include: add child**

- Access to the appropriate technology required to conduct an online IEP process

- Non-functioning or inadequate technology distracts team members from focusing on the IEP process/discussion
- The generation of multiple IEP documents with inconsistent and confusing information
- Restrictive and generic drop down menus
- Limitations and restrictions with regard to documentation, compromising the individualization of the educational program
- Access to a hard copy IEP at the conclusion of meetings
- Prohibits the IEP team the authority to designate necessary services
- Reports of changes to IEP documents after it was finalized and signed
- Facilitates the practice of pre-written IEPs and predetermined placement
- The elimination of meeting notes has compromised the dynamics of IEP team discussions and the ability to document individual needs

We believe it is critical to adopt an effective computer system for accurate monitoring of compliance with IEP development; caseload data; statistical information related to student placements and services; student progress as a sub-group through reporting of tests (related to the requirements of No Child Left Behind); and individual student progress on measurable goals and objectives

As reported in 2004-2005 and again in 2006-2007, issues related to Encore are among the most often reported problems brought before our committee, and have the potential to result in serious compliance violations related to IEPs.

The potential implementation of the new Specialized Academic Instruction (SAI) categories will add to the confusion of the IEP process and decrease the level of data accuracy. The CAC will continue to communicate specific concerns and proposed solutions to the District. The CAC will continue to monitor issues related to Encore and provide recommendations to the District which will hopefully lead to resolutions to these very serious problems for the benefit of students and the dedicated staff working with them.

#### **4. Continuum of Program Options for Students**

Issues related to programs and services are also among the most often reported problems brought before the CAC. Programs and services for students for exceptional needs have changed significantly in the past few years.

Requirements associated with 'No Child Left Behind' (NCLB) resulted in significant changes in service delivery. Co-teaching and collaborative teaching models at the secondary level are currently being implemented to meet the criteria for highly qualified teachers as defined in NCLB. A number of concerns have been raised by both staff and parents. The CAC has received reports which indicate general and special education staff does not have adequate prep time together, nor are the programs appropriately co-taught. Additionally, it has been reported that students are receiving most of their instruction from unqualified and untrained personnel, without the expertise to support the students.

The resource classrooms and many other special day classes for students who require specialized instruction due to learning disabilities or emotional disabilities

have been significantly reduced. The CAC is concerned about the loss of a continuum of program options for students at the secondary level.

If the co-teaching/collaborative model is to be effective, school site administrators must be held accountable for the academic outcomes for the special education students receiving instruction at the school site, administrative staff must work with general education teachers to understand the benefits of co-teaching and general and special education teachers assigned to co-teach together must have adequate prep time together for collaborative lesson planning.

The CAC continues to support Learning Centers as an option to provide the necessary continuum of services for students with disabilities. Learning Centers could be an invaluable resource for students who are low performing on standardized tests. Many of the services that are necessary to assist students with learning disabilities can be used to build basic skills for general education students who are struggling, improving test scores and outcomes. Unfortunately, the Learning Centers have not evolved since their inception.

As previously reported, academic programs, general education classrooms and effective implantation of inclusive practices for students with moderate to severe disabilities has been greatly diminished. This finding was further substantiated in Dr. Thomas Hehir's report. Subsequent to CDE corrective mandates in Case #S-147-96/97 great strides were made to improve programs and services to meet the requirements of a full continuum of program options, with the required combination of inclusive, academic and functional programming. Much of the progress has been undermined or undone as resources were diminished and the district priorities shifted. There is a lack of consistent programming in special education classrooms across the district. Curriculum has been adopted, but not consistently utilized. Necessary equipment, technology and materials are severely lacking.

The CAC remains concerned about post high school transition program and options. Transition Resources for Adult Community Education (TRACE) and associated services need to be reviewed to ensure that the District is meeting the array of vocational, academic, and life skills needs of the diverse populations, and that resources are directed to the intended population to be served. We recognize the effort to establish partnerships with adult service agencies; however we remained concerned about the dismal outcomes for many students with regard to their ability to sustain employment, housing and social opportunities, and master life skills.

Programs for students with mental health and emotional needs have been further developed. Community agency partnerships have evolved with the expectation to improve service delivery and outcomes. We commend the Special Education Division on their progress in this area and look forward to result-oriented outcomes for the students served.

## **5. Accountability/Data Collection/Measuring Outcomes for Students 'No Child Left Behind'**

For years, the CAC has requested reporting of outcomes for students receiving special education services. The benefit of 'No Child Left Behind' (NCLB) is the required reporting of student test scores and data of the sub-group comprised of

students receiving special education services. This will allow the district to identify what is and what is not working for students with exceptional needs.

The CAC is concerned about the degree to which scores for students receiving special education services are reported. We remain concerned about state waivers which exclude more students receiving special education services from being factored into test scores, further undermining accountability and resulting in ‘Many Children Left Behind’.

The CAC is unclear as to the mechanisms in place to measure the overall effectiveness of the current special education programs, and individual student growth.

## **6. Staffing/Staff development**

Staffing has been an ongoing challenge. The Executive Director has reported improvements in vacancies for all positions. We appreciate the challenge to recruit qualified staff in light of the national shortage of professionals in all domains.

We remain concerned about the challenges to recruit and retain fully credentialed, qualified teaching staff, speech and language pathologists, occupational therapists, etc., assigned to deliver services to students with exceptional needs. This continues to be an area of need.

## **7. Thomas Hehir Report / Work Groups**

Dr. Hehir’s report and data analysis validates many of the ongoing concerns of the CAC, specifically the culture shift required to support effective integration of students with exceptional needs in general education classrooms and a paradigm shift to align our educational systems. It is paramount that a strong foundation and plan is in place supportive of students, families and staff. It is equally important to restore relationships at all levels; students, staff, administration etc. in order to facilitate a shift from the pervasive adversarial climate that currently exists. The CAC welcomes change and will pay its due diligence to these important issues that have hindered genuine parent involvement and the CAC’s ability to serve as an effective resource to the District.

To date, the work group process has been confusing at best and appears to be somewhat inconsistent with the recommendations detailed in the report. The CAC looks forward to working collaboratively with the new leadership and advising the District as we move forward with the restructure and implementation of the recommendations.

## Recommendations for the Board of Education

In accordance with its advisory responsibilities, the CAC is making the following recommendations to the Board of Education:

### 1. Training/Staff Development

It is imperative training for all school personnel is initiated and ongoing to ensure seamless transitions with the implementation of the Hehir recommendations and the restructure of our education system, and to ensure a quality education for all students. Comprehensive training on the ENCORE system, IEP process and legal requirements, parent relationships and involvement, behavioral supports, assistive technology, inclusive practices, tolerance and sensitivity awareness, universal design, modifications and accommodations (for all student populations) must be provided to site administrators, general education teachers, special education teachers, para-professionals, service providers etc. A strong staff development plan will create the building blocks needed to facilitate positive change and improve outcomes for all students.

(Addresses multiple CAC concerns identified in this document)

### 2. Specialized Academic Instruction (SAI)

The CAC is deeply concerned that SAI may not align with the policies, procedures and practices defined in the current Local Plan, and equally important, the potential negative impact on students, families and staff. We respectfully request clarification regarding the District's intention to implement this practice and full disclosure of the options and codes to define IEP services. **Additionally we request the District to communicate the operational plan to families and staff prior to the start of the school year to alleviate anxiety, provide direction and facilitate a smooth transition in the fall for students and staff.**

### 3. Encore

- a) All special education staff required to complete Encore IEP's must have necessary computer, projection and printing equipment to complete the team process with equal opportunity for participation by all members (including parents - without limiting participation to the one individual seated at the computer screen) and the ability to print the final copy at the conclusion of the meeting for the parent.
- b) We continue to advise the District to initiate changes to the system programs to ensure the IEP document developed at the team meeting cannot be altered subsequent to the meeting whether the document is completed, and consent is obtained or not, to ensure the integrity of this process. All drafts must be handwritten.
- c) Re-evaluate the system and review expenditures-Millions of dollars have been spent on a flawed system to date.
- d) Develop pro-active plans for students at all points of transition
- e) Reinstate the "Notes page" to encourage dialogue among all IEP team members including parents.

### 4. Continuum of Program Options

- f) Reinstate and expand Learning Centers at the secondary school sites. We contend this concept is synergistic with 'Universal Design for Learning.'

- g) Evaluate the effectiveness of Co-teaching/Collaborative Model in general education in terms of student achievement. Classrooms must be fully staffed and supported.
- h) Administrative staff must work with general education teachers to understand the benefits of co-teaching and general and special education teachers assigned to co-teach together must have adequate prep time together for collaborative lesson planning. We strongly advise the addition of program options to fulfill the void in the continuum created by the elimination of resource classes at secondary school sites.
- d.) Create academic programs for all students including those with more significant cognitive disabilities, which utilize proven curriculum and provide effective instruction that is consistent, systematic, sequential, etc.
- e.) Reinstate the 'Inclusion' program" with appropriate supports and accommodations to ensure students benefit from the educational environment and are not just allowed 'access' without content..."**no dumping.**"
- f.) Create meaningful transition programs for all students including those graduating and going on to vocational training, college or the workplace; students including those not graduating who need to continue academic instruction; etc.
- g.) Create appropriate program options for **all** students requiring specialized instruction.
- h.) Create flexible instructional services and programs for students who require combinations of life skills, vocational, social, academic, etc., including those with more significant cognitive disabilities

## 5. Accountability

- i) School site administrators must have accountability for performance of all students enrolled on their school campus. We suggest exploration of accountability mechanisms such as having job performance evaluation linked proportionately to performance of sub-group population.
- j) Data reflecting student achievement associated with NCLB must be accessible and evaluated in terms of student outcomes and program efficacy.
- k) General education administration must work in partnership with special education administration to ensure the integrity of the instruction for students with exceptional needs in general education classrooms.
- l) Integrate Special Education and General Education administrative responsibilities
- m) General education administration must work in partnership with special education administration to meet the requirements of NCLB with regard to the 'highly qualified teacher' criteria and meet the needs of students with more intensive special education service needs on school campuses
- n) Track and publicly report student outcomes for students receiving special education

## 6. Thomas Hehir Report / Work Groups

The CAC staunchly supports the Board approval of Dr. Thomas Hehir & Associates Issues and Recommendation Report, and appreciates the support of Superintendent Grier. We recommend full implementation of the recommendations and ongoing technical assistance be provided by Hehir & Associates.

## Summary

The CAC is highly motivated to work collaboratively with the District to ensure the success of the restructure/reorganization of the SDUSD education system, the full implementation of the Hehir & Associates recommendations, including work groups, and the transition to new leadership. We are hopeful that the changes will improve outcomes for all students, restore relationships and result in an innovative and dynamic education system that will increase the capacity of the District to effectively meet the diverse needs of all our students, families and staff. As there are many unknowns during this transitional period, we look forward to more information. The CAC will continue to respectfully advise the District and serve as a resource for all stakeholders.

*All students deserve equal access to a quality education and must be guaranteed their right to a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).*

Please feel free to contact me if you require additional information or the incoming Chair, Joyce Clark. Thank you for your time and consideration.

Sincerely,

Stephanie Fimbres  
Vice-Chair  
(858) 627-7270, ext. 3160

CC: Superintendent T. Grier, Arun Ramanathan, CAC Members