

Date: June 26, 2007
To: San Diego Unified School District
Board of Education
From: Joyce Clark, Chair
Subject: 2006-2007 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).

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 and in consideration of federal disability category(s), service delivery model, placement mode, age and grade level. *(Please refer to Membership Application and Executive Committee Application Review forms)*

Currently, the CAC for SDUSD has 15 members (12 parents; 2 school personnel; 1 agency representative). This year 3 applicants were recommended by the Committee for membership and approved by the Board of Education. We are pleased to report three additional applications (parent, teacher and resource specialist) have been submitted and will be reviewed in September when the committee reconvenes. The process for selection and review is consistent with Education Code requirements. 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.

Annual 'Above and Beyond Awards'

On June 14, 2007, the CAC, in collaboration with the Special Education Program Division (SEPD), honored individuals who have contributed above and beyond the usual expectations in the area of Special Education. This year we were pleased to honor...

- Chavia Blankenship: Stock clerk in the Science Department at the I.M.C
- Frank Booth: Grandparent supporting his granddaughter, class mates and teacher
- Terrell Collins: 11th Grade Student at Kearney High School
- Luanne DeAtley: Resources Specialist at Hickman Elementary
- Joan Hill: General Education Teacher at Kate Sessions
- Jackie Husson: Community Member and Volunteer Advocate
- Kim Tyler: Paraeducator at Point Loma High School
- Kristin Von Kessler: Staff psychologist at Nye Elementary serving students with Emotional disorders.

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

Local Plan/Annual Service Plan

One of the primary responsibilities of the CAC is to participate in the development, review and amendment of the local plan. In recent years, the California Department of Education has changed their requirements for the submission of the plan. The CAC remains concerned about the limited review process and marginal requirements imposed by the state, as well as our inability to effectively advise in the review and development of special education programs and services.

The CAC was instructed by the Special Education Division that the local plan committee would focus solely on sections in the Plan impacted by changes in federal law (IDEA 2004). Representatives expressed concern with regard to the limited review process. In some instances, work group sessions were restricted to solely proof reading documents.

While the CAC was afforded the 30 day review requirement, we remain unclear about our advisory role in the review process of programs, services, policies and procedures. There appears to be an apparent absence of a meaningful mechanism to provide feedback. We appreciate the time and effort put forth by the Special Education Division in preparing and providing data and documents for review. We look forward to establishing a collaborative process to fulfill our CAC advisory role and responsibilities.

Ongoing Issues and Concerns

1. '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**. While utilization of the District call center for ENCORE questions does yield some information concerning trends of problematic issues, parents and teachers alike continue to report concerns and frustrations.

Ongoing challenges and concerns include:

- 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

We appreciate the commitment of the Special Education Program Division to provide written updates. We look forward to continued status updates/upgrades and requested information with regard to the various reports generated by ENCORE. 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, 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 IEP development and implementation.

The CAC will continue to communicate specific concerns and proposed solutions to the Special Education Program Division administration. 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.

2. 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 do 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 aides, 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 eliminated. 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 in 2004-2005, inclusion and academic programs for students with moderate to severe disabilities have been greatly diminished. The CAC proposes this finding will be 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. Many students are being forced into more restrictive environments.

The district has worked to develop a transition program, 'Trace' over the past couple of years. This 'one size fits all' program does not meet the array of vocational, academic, and life skills needs of the diverse population they are attempting to serve. Additional program services are severely lacking and need to be developed. 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.

3. 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 isn't 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 are concerned about proposed state waivers which would exclude more students receiving special education services from being factored into test scores, further undermining accountability and resulting in 'Many Children Left Behind'.

4. Staffing

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.

We share the Executive Director's concerns 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.

5. CDE/CAC/District Workgroup (Complaint # S-0861-05/06)

The CAC, in a good-faith effort, participated in a work group in collaboration with District staff and a representative from the CDE to address corrective actions. Over the course of events and during discussion, the CDE representative conceded that the department exceeded their authority in several areas with regard to findings. Countless hours were spent reviewing the CAC's governing documents, which resulted in minimal changes pertaining to governance, membership and voting equity as reported in November of 2006.

While the District decided to forgo appeal, the CAC filed documents with CDE, OSEP and the District Counsel to refute erroneous allegations and demonstrate compliance regarding issues cited in the complaint.

Based on work group outcomes and confirmation from the CDE representative, we are pleased to report that the By-laws have been amended to address corrective actions to the satisfaction of the California Department of Education:

- Voting equity: all members should have voting privileges with the exception of Ex Officio members/administrative-leadership positions (consistent practice with like entities)
- Governance: in terms of a clearly defined process for communicating/working with the governing body, Board of Education

- Membership Composition/Vacant positions: clear delineation of representative groups defined in Ed Code 56192 and 56193/demonstration of a "good faith effort to to ensure effective outreach and recruitment

I am respectfully submitting a copy of the CAC Constitution & By-laws unanimously adopted by the membership on June 14, 2007 for your review and approval. We look forward to working collaboratively with the District to continue to improve outreach, communication and operations.

6. Thomas Hehir Report

The CAC would like to commend Superintendent Cohn for recognizing the need to bring in Dr. Hehir, a nationally renowned consultant, to review and provide recommendations pertaining to special education programs, service delivery, operations, budget and accountability. Committee members had the opportunity to meet with Dr. Hehir on several occasions and provide input. On June 1, 2007, several committee members had the opportunity to review preliminary findings including but not limited to the following:

- Over Identification of African- American/Latino students (ED/SPED)
- Lack of a program options for students with cognitive disabilities
- Lack of inclusion for students with cognitive disabilities
- Limited use of Assistive Technology
- Dismal data with regard to special education student's proficiencies
- Parallel and Dysfunctional Education System i.e. separate Special Ed vs. General Ed
- Response to Intervention-needs to be a general education responsibility
- Charter Schools-exclusionary practices, SPED oversight and fiscal impact

Dr. Hehir's report and data analysis validates many of the CAC concerns that have been repeatedly reported to the District. The consultant reported limited access to data pertaining to budget and general education which was disappointing. The CAC has expressed similar frustration with regard to accessing data and other information.

We look forward to the written report so that we can adequately review, provide feedback and make recommendations. It is the goal of the CAC to engage in genuine collaboration with the District to ensure all students are provided a free and appropriate public education in the least restrictive environment.

CAC Priorities/Activities for 2006-2007

The CAC identified the following priorities and activities:

- **Parent/Student/Community Involvement**
 - Provide Training/Workshops/Presentations
 - San Diego Unified Special Education Orientation
 - How Children Learn
 - IEP Process & IDEA
 - Encore
 - Above and Beyond Awards
 - Community Resource Fairs
 - Back to School Event-Jackie Robinson YMCA
 - Involved Exceptional Parent Day Conference
 - Fiesta Educativa Conference
 - Collaborate with Community Agencies
 - Exceptional Family Resource Center
 - Area Board XIII
 - San Diego Regional Center
 - Fiesta Educativa

- **Operations/Governance Review and Revisions**
 - Annual By-law review/revision
 - Conduct meetings in accordance with Brown Act requirements
 - Provide CAC membership/training
 - ✓ Parliamentarian
 - ✓ New Membership Orientation
 - Develop Operation Guidelines
 - Review Website

- **Advisory Roles/Responsibilities**
 - Participate on the Local Plan Committee
 - Review State Compliance Review Data
 - Monitor data, program, services and key special education legislation
 - Report to the Board of Education
 - Participate in the Strategic Plan Review process (Tom Hehir)
 - Monitor legislation and participate in legislative events

- **Finance/Resource Development**
 - Develop Operational Budget (to be submitted)
 - Contact District Advisory Committee (DAC)
(Unable to access budget information)

- **Public Awareness and Outreach**
 - Revise/Develop Public Awareness Materials
 - Visitor packet
 - Brochure
 - Display Board
 - Newsletter
 - Member Notebook

Review of CAC Accomplishments and Activities 2006-2007

Through the implementation of work plan developed at the CAC retreat in November 2006. More than 1000 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 (144 participants)
 - ✓ Fiesta Educativa Conference (86 participants)
 - ✓ Orientation to Special Education (8 participants)
 - ✓ Back to School Event-Gompers/Jackie Robinson YMCA (1000 plus participants)
- Addressed Encore issues with District administration
- Increased participation on district committees
- Collaborated with community agencies on trainings and information for parents
- Published newsletters/disseminated CAC brochure
- Revised public awareness materials i.e. CAC brochure, Members note book
- Participated in Community Resource Fairs
- Implemented a system to document issues brought forward to the CAC
- Assumed a key role in the resolution of Complaint # S-0861 05/06
- Improved & Updated CAC Bylaws to align with the California Education Code
- Hosted the Annual Above and Beyond Awards recognizing staff, parents, students and community representatives for their accomplishments
- Monitor legislation and participate in legislative events

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. Accountability

- a) 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.
- b) Data reflecting student achievement associated with NCLB must be accessible and evaluated in terms of student outcomes and program efficacy.
- c) 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.
- d) Integrate Special Education and General Education administrative responsibilities
- e) 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
- f) Track and publicly report student outcomes for students receiving special education

2. Continuum of Program Options

- a) Reinstate and expand Learning Centers at the secondary school sites. We contend this concept is synergistic with 'Universal Design for Learning'
- b) Evaluate the effectiveness Co-teaching/Collaborative Model in the general education in terms of student achievement. Classrooms must be fully staffed and supported.
- c) 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.
- 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 students requiring specialized instruction such as students with Autism and Emotional Disabilities.
- 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

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.

The CAC will continue to fulfill its mandated responsibilities as defined in the law, as well as address key priorities identified by stakeholders. We will continue to engage families, students, staff and community members reflective of the diversity of our District with regard to cultural, geographic, and socioeconomic factors and in consideration of federal disability category(s), service delivery model, placement mode, age and grade level. Community forums, "Town Hall Meetings" and other outreach strategies will be utilized to improve access to constituents and assist the CAC in identifying needs and priorities, which will promote family involvement and empower parents, staff and students with information, resources and support. ***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).***

*(Proposed sites for community forums include Lincoln, Mira Mesa and Lindbergh-Schweitzer Schools)

Please feel free to contact me if you require additional information. Thank you for your time and consideration.

Sincerely,

Joyce Clark
Chair

CC: Roxie Jackson
CAC Members