

**SPECIAL EDUCATION REFORM EXECUTIVE SUMMARY
A UNIFIED SYSTEM FOR STUDENT SUCCESS**

I. Executive Summary

There are nearly 17,000 students with disabilities in San Diego Unified School District (SDUSD). Each of these individuals possesses unique strengths and needs. Each carries a unique set of hopes and aspirations. These hopes are no different from those of students without disabilities. They want to learn to read; to learn more about the world around them; to be in classrooms with their peers; to be challenged by and excel in their school work; to be a valued participant and contributor to school activities; to graduate from school; and to go on to further education and find and secure a good job.

More than a year ago, Dr. Thomas Hehir and Associates completed a program evaluation of our special education system that identified both strengths and systemic weaknesses. Our major strength is our people. We have thousands of committed teachers, administrators and staff working hard to provide a quality education for children with disabilities. We have committed parents who want the best for their children. We have 17,000 students who expect to leave our schools and become valuable contributors to our community.

What we must improve is the system of education built around them. On multiple measures of student performance, our school system has failed to provide children with disabilities with the academic skills they need to succeed and our teachers and schools with the skills and resources they need to help all students succeed. We have a moral, legal and ethical obligation to create a truly inclusive unified system of education and ensure that we all are accountable for the performance of students with disabilities.

Guiding Principles

We envision a system in which students with disabilities and their parents are welcomed into all of our schools and classrooms as valued members of their school communities and included in all school activities. We seek to develop the capacity of each school to serve the educational and socio-emotional needs of students with disabilities to maximize their potential to fully participate in school and community life. We seek to transform special education into both a special and seamless part of our general education mainstream. We accept our responsibility to ensure a free and appropriate education in the least restrictive environment for all children with disabilities as required under federal law. Attaining this vision will require making special education a research-based set of individualized supports and services rather than the sole source of instruction and intervention; merging our compartmentalized system of special education with general education while offering the full continuum of special education services and placements; and providing teachers and other school staff with the knowledge, skills and resources they need to serve students with disabilities.

We recognize that special education often has become the default intervention for many students at risk of academic failure due to difficulties with language acquisition, reading and behavior. We understand African-American students and English language learners

have often been inappropriately placed in special education. We accept the challenge of working with general education to develop a system that ensures that research-based academic and behavioral supports are available to any student, thereby preventing inappropriate referrals. We will ensure that our referral and identification system protects the rights of all students to an appropriate referral and accurate evaluation.

In sum, we envision a system that is universally designed to support the learning and socio-emotional needs of all students.

Moving Forward

With these goals in mind, over the past several months, three “workgroups” have been developing action plans to address Dr. Hehir’s core recommendations. The goals of these groups were threefold: establish a set of measurable outcomes that will be used to guide reform efforts over the next three years; provide a series of initial recommendations related to these performance outcomes; and generate a set of preliminary recommendations for actions that the district’s leadership should pursue immediately.

The voluntary development of measurable performance outcomes and improvement plans for special education is unique to SDUSD. In other large urban school districts, including Los Angeles and Baltimore, the development of performance outcomes, action steps and timelines have been imposed by the federal courts as the result of class action litigation and assessed by court-appointed independent monitors. These court-ordered actions have proved costly for these school districts and removed the authority for initiating special education reform from district leadership. By taking the initiative to both establish performance outcomes and develop a detailed reform plan, SDUSD has an opportunity to demonstrate that special education reform at the district-level does not have to be mandated and driven by the courts or federal/state governmental agencies.

The reform of our education system for children with disabilities will not occur immediately. The workgroup process is the first step in an evolving strategic planning and reform process over the next three years. This report presents both the results of these workgroups and an overall response to the recommendations in Dr. Hehir’s reports. The first part provides a review of the workgroups and their process; the second part provides a review of outcomes and action steps defined by the groups (specific, detailed outcomes and action steps are included in Attachment 1); and the third part provides an update on recommended areas for immediate action and a presentation of next steps.

Section A: Special Education Reform Workgroups

In his Recommendations Report, Dr. Hehir proposed that SDUSD establish three workgroups focused on the three “core” recommendations of his report. These workgroups were first established in January 2008. Following a change in the district’s

leadership, the workgroups were reinitiated in October 2008 with a revised and expanded membership. The revised workgroups followed an expedited process detailed in the Follow-up Report completed in September 2008 by Dr. Hehir and Associates (Attachment 2).

Membership in each workgroup was diverse and included: parents, school improvement officers, school administrators from the elementary, middle and high school levels, special and general education teachers, speech and language pathologist, school psychologists, district counselor, paraprofessional, special education program managers and administrators from Counseling and Guidance, English Learner Support, and Literacy. In order to maintain continuity from the previous workgroups, many of the former participants were invited to join the new groups. A complete list of participants and their contact information is included in Attachment 3.

The workgroups met weekly for seven weeks beginning on October 15, 2008 and ending December 3, 2008. Each meeting lasted approximately 90 minutes. The meeting schedule is included in Attachment 3. All workgroup members were provided with materials necessary to complete their assigned tasks, including agendas, schedules, participant contact list, outcome documents with baseline district data, reports, and supporting materials.

The three groups assumed primary responsibility for developing eight measurable outcomes and targets for special education and the preliminary plans to achieve these outcomes, which are based on the areas needing improvement identified in the Hehir program evaluation. As noted by Dr. Hehir, “This method provides an objective means in which interested parties can determine if the district is making progress and thus avoid anecdotal and biased judgments. Further, these outcomes can be used successfully by the district to target schools most in need of improvement and to identify other schools engaged in exemplary practice.” In addition, this process was explicitly connected to three core performance goals established by the Board of Education and the Smart Goals established by the superintendent and district leadership.

Workgroup 1, chaired by Joe Fulcher, Interim Director of Special Education, was charged with focusing on student achievement. This group focused on:

- *Outcome 1: Increase Student Achievement.*
- *Outcome 2: Decrease the Achievement Gap between Students with Disabilities and Non-disabled Students.*
- Workgroup 1 also was charged with developing *Outcome 6: Reduce Dropout Rates and Increase Graduation Rates.* This group reviewed preliminary graduation and drop-out data for students with disabilities; however, because the district had not yet established Smart Goals for graduation and drop-out rates, this group was unable to establish targets in these areas. Once districtwide Smart Goals are established in these areas and the methods for calculating district graduation and drop-out rates are defined, Workgroup 1 will revisit *Outcome 6.* Workgroup 1 devoted most of its attention to *Outcome 1* because *Outcome 2:*

Decrease the Achievement Gap between Students with Disabilities and Non-disabled Students has been defined by the superintendent and cabinet as a 10 percent annual reduction.

Workgroup 2, chaired by Susan Martinez, Interim Executive Director of Special Education, was charged with creating a unified system of education. This group focused on:

- *Outcome 3: Increase Placement of Students in the Least Restrictive Environment.*
- *Outcome 4: Increase the Number of Students Enrolled in their Home School and Parental Choice Options.*
- Workgroup 2 also was charged with developing *Outcome 8: Increase Parental Involvement.* This outcome is dependent on a survey and data on parent involvement in the IEP process. After the completion of the parent survey, Workgroup 2 will develop *Outcome 8.*

Workgroup 3, chaired by Arun Ramanathan, Chief Student Services Officer, was charged with focusing on pre-referral intervention systems, specifically Response to Intervention (RTI) and Student Study Teams (SST) and the over-identification of African-American and English language learners. This group focused on:

- *Outcome 5: Reducing the Over-representation of Minorities in Special Education.*
- *Outcome 7: Reduce Suspension and Expulsion Rates for Students with Disabilities.*

Workgroup Process

Over the seven-week series of meetings, the chair of each workgroup led the group through a discussion and strategic planning process. Over the course of the seven meetings, each group collaborated to:

- Examine, review and discuss "Outcome Reports." These reports included baseline data for each area and available comparative data from other school districts as well as SDUSD performance. These detailed reports were prepared in collaboration between Special Education and Dr. Jaime Hernandez of Thomas Hehir and Associates, and are included in Attachment 4.
- Brainstorm potential outcome targets and discuss additional data needs.
- Identify local and national experts and consult literature in the outcome areas that could serve as resources. See Attachment 5 for the list of experts consulted or whose research was reviewed.
- Develop, refine and reach consensus on proposed outcome measures for a 1-3 year time frame (2009-2011). Outcome measures are included in Section B and Attachment 1.
- Identify effective district practices/interventions and demonstration sites.
- Develop, refine, and reach consensus on potential action steps needed to achieve proposed outcomes and targets. These recommendations may include policy changes and staff development proposals. Action steps are detailed in Section B and Attachment 1.

During each workgroup meeting, the large group met together briefly for announcements and discussion of the agenda. This was followed by breakouts into the workgroups. The workgroup chairs facilitated the small group sessions, presenting any written documents that needed to be discussed. The group then discussed the documents or topic at hand; requesting clarification, making suggestions, brainstorming ideas and highlighting practices currently being undertaken in district schools as well as examining data from SDUSD and other districts. Overall, there was substantial participation by workgroup members providing perspectives that were school- and classroom-based (e.g., teacher, counselor, paraprofessional, speech pathologist, school psychologist, principal, vice principal), district-level (SIO, program manager, program director). Workgroup members volunteered to collect additional data, visit district schools, and/or contact experts to obtain more information. Groups communicated via email between meetings in order to share documents and provide further input. Workgroups deliberated to reach consensus regarding proposed outcomes and action steps.

Section B: Proposed Performance Outcomes and Action Steps.

The proposed outcomes and action steps are detailed in Attachment 1. In summary, we propose to initiate the following activities:

Improving Student Achievement

The overall goal is to improve the achievement of students with disabilities in SDUSD on the CST and to reduce the number of students in the below and far below basic categories. This will ensure that we focus on students at all levels of performance on the CST.

- Outcome 1a: The outcome for improving student performance for students with disabilities performing at the Proficient or Advanced levels in English Language Arts by June 30, 2011, is 25.4% (from a baseline of 13.4%) and 26.6% in Mathematics (from a baseline of 14.6%). This implies a 4% annual increase.
- Outcome 1b: The outcome for improving the performance of students with disabilities performing at the Basic level in English Language Arts by June 30, 2011, is 29.5% (from a baseline of 14.5%) and 33.3% in Mathematics is (from a baseline of 18.3%). This implies a 5% annual increase and would ensure that we also focus on moving students from the below and far below basic levels to the basic level.
- Outcome 2: Decrease the achievement gap between disabled and non-disabled students (superintendent's Smart Goal).

In order to achieve these outcomes, we are proposing to complete the following activities by September 2009:

- Provide professional development in effective instructional strategies for students with disabilities. These strategies include appropriate instructional and curricular accommodations, co-teaching and co-planning, differentiated instruction for diverse learners and research-based interventions in reading and math. These strands of effective instruction are encompassed under the term of Universal Design for Learning (UDL).
- Select and/or create exemplary district programs/schools to serve as service delivery models.
- Investigate and determine which research and evidence-based effective programs can be disseminated districtwide.
- Compile and make available a video and resource library of exemplary and effective programs, services and instruction.
- Align the Educational Technology and Assistive Technology Departments to maximize technological supports to students with disabilities and to support staff who work with students utilizing assisted technology.
- Work with secondary sites to explore alternate schedules for teachers who work with students with disabilities (e.g., common preps) to maximize collaboration and co-teaching.
- Create and implement a system of regular, timely communication between school staff and parents so parents of students with disabilities are consistently informed about student achievement and student progress.
- Conduct quarterly parent forums to provide parents with instructional strategies to extend student learning at home.
- Develop and implement an ongoing system of research into academic interventions using student achievement data to monitor their effectiveness.

Unified System

The overall goals are to bring San Diego Unified School District in compliance with federal and state laws ensuring the placement of students with disabilities in the least restrictive environment (LRE) and to provide them with the same educational opportunities and school choices that are afforded to their peers without disabilities.

- Outcome 3a: By June 30, 2011, decrease the placement of students with high incidence disabilities (specific learning disability, speech and language impairment, other health impairment) who are in special education for 60 to 100% of their school day to 15%. Our current rate is 21.6%.
- Outcome 3b: By June 30, 2011, decrease the placement of students with all other disabilities who are in special education setting for 60-100% of their school day to 45%. Our current rate is 65.4%.

- Outcome 4a: By June 30, 2011, increase the percentage of students with high incidence disabilities attending their elementary school of residence/school of choice from 86% to 95%.
- Outcome 4b: By June 30, 2011, increase the percentage of students with all other disabilities not attending their elementary school of residence/school of choice from 46.6% to 75%.
- Outcome 4c: By June 30, 2011, increase the percentage of students with all other disabilities attending their secondary school of residence/school of choice from a baseline 72.7% (middle) and 69.8% (high) to 85%.
- Outcome 4d: By June 30, 2011, approximate the district's average enrollment of 12% students with disabilities in charter schools.

In order to achieve these outcomes, we are proposing to complete the following activities:

- In addition to the professional development recommended by Work Group 1, we also will provide professional development around legal obligations, shifting belief systems and instructional strategies for students with disabilities and collaboration with parents.
- Identify exemplary classrooms and schools in the district that demonstrate effective inclusion practices.
- Prepare schools to educate all students (including communicating flow of students to site administrators, preparing physical facilities, training all site staff, ensuring appropriate transitions from elementary to middle to high school, and providing information to parents).
- Develop a cadre of resource staff to work with site administrators and site staff in order to facilitate the achievement of performance outcomes.
- Provide public endorsement of action steps by district leadership.
- Ensure site specific accountability through the use of monitoring data.

Response to Intervention/Student Study Team Process

The overall goal is to ensure that the SDUSD has a referral and identification system that protects the rights of students to an appropriate referral and accurate identification process and to ensure that students with disabilities are not suspended at disproportionate rates. In particular, we will focus on ensuring that African American students are not inappropriately identified as emotionally disturbed and English language learners are not inappropriately identified as speech and language impaired or learning disabled.

- Outcome 5: Conduct a complete review of the cumulative files of African-American students identified as emotionally disturbed and a sample of the folders of English language learners identified as having a learning disability or a speech and language impairment to determine whether they were provided with a comprehensive evaluation and consideration for placement in the least restrictive environment. Based on this review, we will determine whether to develop fixed targets for reductions in the risk index and relative risk ratio.
- Outcome 7a: Reduce the rate of suspension of students with disabilities from 26.6% to a rate lower than 13% by 2011. Currently, students with disabilities are suspended at a rate over twice their percentage of the student population (12.3%). This outcome would reduce the rate to a percentage similar to their percentage of the student population.
- Outcome 7b: Reduce the rate of long-term suspensions defined as six or more cumulative days from 26.1% to 13.0% by 2011. Currently, 26% of students with disabilities who are suspended are suspended for six or more days. This would mean reducing that percentage down to 13%.

In order to achieve these outcomes, we are proposing to complete the following activities:

- Develop a districtwide tier of interventions model (I-III) for at-risk students including a standard pre-SST process.
- Revise existing SST so it aligns with tiers of interventions and pre-SST process.
- Provide/disseminate districtwide academic pre-screening Tier I instruments (appropriate for ELLs).
- Provide/disseminate consistent set of reading diagnostics at Tiers I and II.
- Identify Tier I-III academic and behavioral interventions used by all teachers to provide supplementary intervention for at-risk students.
- Ensure implementation of individualized behavior support plans and student IEPs.
- Provide all teachers with professional development on Tier I-III instruments, diagnostics, and interventions.
- Identify exemplary school sites and classrooms to serve as demonstration sites for effective practices.

Section C: Immediate Actions and Next Steps

In addition to the development of outcomes and the detailed plans to achieve them, the Follow-up Report completed by Dr. Hehir recommended a series of immediate action steps. In his initial Recommendations Report, Dr. Hehir offered several recommendations for further action, which we have been working on addressing in coordination with the workgroup process. We will begin by reviewing the status of immediate steps and then move on to other areas needing improvement.

Immediate Actions

- *Changes in the Encore IEP system:* In early 2009, a notes section will be added to the IEP. Student Services is working with the IT Department on a performance review of the Encore IEP system. This review process will include substantial user involvement and feedback. We expect this review to be completed by July 2008.
- *Continue parent and staff forums:* The parent and staff forums will continue throughout 2009. These forums will occur quarterly in collaboration with the Community Advisory Committee (CAC) for Special Education.
- *Establish an enhanced parent hotline:* As Special Education is reorganized, parent services will become the explicit responsibility of a manager in special education, in addition to being the responsibility of all staff members. This manager will collaborate with the Special Education ombudspeople to ensure the establishment of an effective parent hotline with intake and reporting mechanisms to track parent needs, issues and complaints and the district's response.
- *Significantly curtail the practice of sending central office staff to IEP meetings:* We have reviewed the use of central office staff at IEP team meetings and this issue will be addressed through the revised policy and procedure manual.
- *Begin planning a principal institute:* This process will begin in early 2009 in collaboration with the chief school improvement officers, school improvement officers and principals.
- *Significantly curtail the designation of students with disabilities as non-diploma bound:* A memo will be distributed in early 2009 limiting the designation to 10th-12th graders and indicating when and how it should be applied. This also will be addressed in the revised policy and procedure manual.
- *Develop and disseminate a comprehensive policy and procedure manual:* The revised manual is currently in development and should be completed in spring 2009.

Other Action Steps

In addition to the immediate actions and the workgroup action steps, there are several other issues raised by the Hehir evaluations that will be addressed in 2009.

- *Parent Satisfaction Survey and IEP Parent Participation Rate:* Dr. Hehir recommended that the district conduct a scientific parent survey to develop a baseline parental satisfaction rate for special education and identify a baseline participation rate for parent participation in IEP meetings. Planning for the survey will begin in January 2009. In order to develop a valid IEP attendance measure, the district will need to revise the Encore IEP to differentiate between parent attendance and a parent signature. These data will be used to set performance targets for satisfaction and participation.
- *Graduation and Drop-out Rate:* The district has not yet established a Smart Goal for overall graduation and drop-out rates. There are a number of different methods that can be used to establish these rates. Once the district leadership has selected a method, Workgroup 1 will meet to review special education graduation and drop-out data, establish outcome measures and create action steps.
- *Low Incidence Academic Interventions/Assistive Technology Expansion:* A core recommendation of the Hehir report is the importance of ensuring that all students are provided with high quality academic curriculum and targeted academic interventions. Many students with low incidence disabilities in SDUSD are tracked into a functional life skills curriculum in the early grades, even when their parents are requesting academic curriculum. In addition, Dr. Hehir noted that the district has failed to broadly utilize available assistive technology to address the academic needs of students. This issue is addressed by both Workgroups 1 and 2. In January, the Assistive Technology Department will begin working with Information Technology and Curriculum and Instruction to develop a high quality academic curriculum for students with low incidence disabilities that fully leverages the benefits of the most current assistive technology to address our students' academic needs.
- *Accountability for Student Performance:* In order to ensure accountability for student performance, Dr. Hehir recommended that the district disaggregate progress toward outcomes to the school level and include special education performance in the evaluation of school principals. The inclusion of special education performance in principal performance evaluations helped induce change in the Los Angeles Unified School District. The current process of revising the administrator's performance evaluation provides an important opportunity to ensure accountability for the performance of students with disabilities.
- *Site-level Responsibility for Students with Disabilities:* One of the primary institutional barriers to ensuring site-level responsibility and an integrated system is the current model that produces site-level allocations for administrators and support

staff. The model does not account for students with disabilities when making these allocations. Thus, schools with significant populations of students with disabilities do not accrue appropriate allocations to support the needs of all students. We recommend that this allocation process be revised so that all students on a school site are accounted for when determining school allocations. At the classroom level, we recommend that all students with disabilities in general education classrooms be considered general education students for the purpose of determining allocations.

Next Steps

In alignment with the Hehir Follow-up Report timelines, this report will be submitted to the Executive Committee in January 2009 for their review and feedback. After addressing the Executive Committee's recommendations and any proposed revisions, the Special Education Improvement Plan will be submitted to the superintendent and Board of Education for their feedback. It also will be provided to the CAC for Special Education and the public for comment and feedback. After the process of review and feedback, we expect to deliver a final report including the proposed outcomes and action steps to the Board of Education for its approval.

Also in January, we will begin the process of fully integrating the report with the strategic planning process currently being conducted by the deputy superintendent. Our expectation is to produce a single plan for all students in alignment with the district's mission statement and the Board's priority goals.

In conjunction with these processes, we expect to reorganize the Special Education Division. This reorganization will be in alignment with both the improvement plan and the reorganizations of other district departments. The goal of this reorganization will be to improve educational outcomes for our students, better meet the needs of our school communities, integrate special education with general education and improve the continuum of supports and services to meet the individualized needs of each student with disabilities.

It is our expectation that this process of special education reform working in close collaboration with general education leadership will break down the persistent barriers between these systems to create a truly inclusive unified system of education. Over the next several years, we expect this unified system to produce improvements in student outcomes, enhance the quality of services to students, parents and schools, and build the capacity of all staff to achieve the goals established by the Board of Education, district leadership and our schools.