

# A Study of the Mount Diablo Unified School District Special Education and Section 504 Programs

## FINAL REPORT



**Mount Diablo Unified School District**

1936 Carlotta Drive, Concord, CA 94519  
(925) 682-8000



Submitted by:

**MGT**   
OF AMERICA, INC.

February 26, 2010

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Mount Diablo Unified School District  
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455 Capitol Mall, Suite 600  
Sacramento, California 95814

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***EXECUTIVE SUMMARY***

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## **EXECUTIVE SUMMARY**

In August 2009 Mount Diablo Unified School District (MDUSD) contracted with MGT of America, Inc., a national public sector research and consulting firm, to conduct a study of the District's Special Education and Section 504 Programs.

MDUSD is a single district Special Education local Plan Area (SELPA) charged with providing a full continuum of special education services for ages 0-22 for all categories of disabilities. The special education student population is approximately 11.47 percent of the total student population, and special education accounts for approximately 23 percent of the total budget. In view of challenging financial budget reductions for the district, MDUSD selected MGT to evaluate Special Education and Section 504 Programs for options on how the district can continue to provide special education services in the most effective as well as cost-effective manner possible.

MGT's methodology for conducting the study is based on state and federal regulations and research-based, proven-effective best practices. The methodology addresses the complexities of identification, placement, service delivery, parent involvement, policies and procedures, as well as associated costs of special education and Section 504 services, and Consent Decree compliance. MGT uses an integrated, evaluative approach to document and evaluate the programmatic and financial aspects of Special Education services and Section 504 accommodations and modifications, thereby providing a more comprehensive analysis of the true effectiveness, efficiency, and costs associated with special education services. MGT uses quantitative and qualitative data analysis to evaluate the strengths of special education services and delivery models and to identify areas in need of improvement.

MGT's report is organized around and provides analysis and evaluation of the district's operations in the following areas:

- Special education peer district comparisons.
- Special education operations and associated financial effectiveness.
- Special education service delivery options and continuum of services.
- Special education policies, procedures, and compliance.
- Special education personnel services and professional development.
- Compliance with *Spieler V. Mt. Diablo Unified School District*.

## FINDINGS/ISSUES

Findings in the areas mandated for the study are identified as issues, which are followed by commendations or considerations with associated estimated fiscal implications (savings or expenditures). The issues identify areas where improvements would result in more effective, efficient, or cost-effective operations (considerations), or instances of exemplary practices (commendations). MGT identified 51 issues, listed by below by chapter.

CHAPTER	ISSUE
<b>Chapter 1: Introduction and Peer District Comparisons</b>	
This chapter conveys information about MDUSD special education services in comparison with peer districts. No issues are included in Chapter 1.	
<b>Chapter 2: District Operations and Associated Financial Effectiveness</b>	
This chapter discusses issues related to financial operations and organization structure and management of the MDUSD Department of Pupil Services and Special Education. Chapter 2 includes six issues.	
Issue 2-1	General Fund Transfers to Special Education
Issue 2-2	Special Education Transportation Budget
Issue 2-3	Special Education Spending at the School Level
Issue 2-4	Inefficient Organizational Structure
Issue 2-5	Resource Support Services
Issue 2-6	School-based School Psychology Services
<b>Chapter 3: District Operations and Associated Financial Effectiveness</b>	
This chapter discusses issues related to the delivery of instructional services to MDUSD students with disabilities. The issues are related to general education consultation, academic resource support, full-time instruction, nonpublic placements, and related services. Chapter 3 includes 22 issues.	
Issue 3-1	Collaborative Consultation. Findings for this issue resulted in two commendations.
Issue 3-2	Academic Success Centers. Findings for this issue resulted in one commendations.
Issue 3-3	Building Effective Schools Together (BEST) Collaborative Schools. Findings for this issue resulted in one commendation.
Issue 3-4	Service Delivery Options for Students with Autism within Natural School Feeder Patterns
Issue 3-5	School-based Multidisciplinary Teams to Support Service Delivery for Students with Autism
Issue 3-6	Staff Development Related to Educational Service Delivery for Students with Autism and Moderate/Severe Disabilities
Issue 3-7	Placement of Students with Autism in the Least Restrictive Environment

Issue 3-8	District Level Support for Teachers of Students with Autism Spectrum Disorders. Findings for this issue resulted in one commendation.
Issue 3-9	Early Identification of Students with Autism Spectrum Disorders. Findings for this issue resulted in one commendation.
Issue 3-10	Individual Education Programs (IEPs) for Students with Autism. Findings for this issue resulted in one commendation.
Issue 3-11	Development of Specialized Educational Programs for Students with Moderate to Severe Disabilities. Findings for this issue resulted in one commendation.
Issue 3-12	Allocation of Teacher Resources. Findings for this issue resulted in one commendation.
Issue 3-13	Lack of Curriculum for Students with Moderate to Severe Disabilities
Issue 3-14	Inconsistent Implementation of Functional Approaches to Instruction
Issue 3-15	Inconsistent Utilization of Instructional Assistants to Provide Instruction
Issue 3-16	Lack of Appropriate Classroom Structure and Supports in Some Classrooms
Issue 3-17	Inconsistent Documentation of Standards within Individual Education Plans
Issue 3-18	Mental Health Collaborative Services
Issue 3-19	Restrictive and Costly Nonpublic School Placements
Issue 3-20	Behavioral Services (Exclusive of the Mental Health Collaborative). Findings for this issue resulted in one commendation
Issue 3-21	Adaptive Physical Education
Issue 3-22	Special Education Assistance in Classrooms and for Individual Students
<p><b>Chapter 4: Policies, Procedures, and Compliance</b>            This chapter discusses issues related to policies, procedures, and compliance with local policies and administrative regulations, Individuals with Disabilities Education Act (IDEA) and California Regulations for Special Education, related compliance and programmatic issues, Section 504 of the Rehabilitation Act of 1973, and the District Special Education compliance self-review. Chapter 4 includes 15 issues.</p>	
Issue 4-1	Board Policies and Administrative Regulations
Issue 4-2	Understanding of Laws, Procedures, and Responsibilities Regarding Special Education
Issue 4-3	Appropriate Special Education Notices, Forms, and Procedures to Meet Compliance and Parent Participation
Issue 4-4	Pre-Referral, Early Intervention, and Response to Intervention (RTI).
Issue 4-5	Referrals for Special Education Consideration
Issue 4-6	IEP Meeting Membership and Allocation of District Resources
Issue 4-7	Physician Statements as Component of Multidisciplinary Evaluation and Provision of Special Education Related Services

Issue 4-8	Measurable Goals and Case Management
Issue 4-9	Management of Student Data and State Reports
Issue 4-10	Disproportionality of Placements in Special Education and Student Suspensions
Issue 4-11	Dispute Resolution Process, Local Mediation, and California Department of Education Complaints and Legal Expenses
Issue 4-12	Special Education Procedural Handbook
Issue 4-13	Section 504 Procedures, Forms, and Notification
Issue 4-14	Section 504 Placements and Accommodations
Issue 4-15	Compliance Issues Requiring Further Investigation
<p><b>Chapter 5: Personnel Services and Professional Development</b>            This chapter discusses issues related to Special Education Personnel Services and Professional Development. Securing highly qualified special education staff is a challenge in most school districts, but at Mt. Diablo Unified School District (MDUSD), there have been unique situations that have presented additional difficulty. Chapter 5 includes 8 issues.</p>	
Issue 5-1	Recruiting, Hiring, and Maintaining Highly Qualified Special Education Staff
Issue 5-2	Communication of Building Level Cuts in Staff
Issue 5-3	Professional Specifications
Issue 5-4	Performance Appraisals
Issue 5-5	Professional Specifications – Principals, Special Education Teachers, and Related Services Staff
Issue 5-6	Professional Specifications – Instructional Assistant
Issue 5-7	Professional Development Opportunities
Issue 5-8	Off-Site Meetings and Professional Development
<p><b>Chapter 6: <i>Spieler v Mt. Diablo Unified School District</i></b>            This chapter discusses the <i>Spieler v Mt. Diablo Unified School District</i> Consent Decree.</p>	

MGT identified 10 areas with commendations, or instances of exemplary or best practices in place by MDUSD, as shown below. For report consistency, the areas are identified as issues.

ISSUE	COMMENDATIONS
Chapter 3 Issue 3-1	<b>Commendation 3-A:</b> Many middle and high schools throughout MDUSD effectively demonstrate instructional leadership and collaborative instructional practices that successfully support students with disabilities in the general education setting.
Chapter 3 Issue 3-1	<b>Commendation 3-B:</b> MDUSD is commended for utilizing the Leadership Institute, Professional Learning Communities, and the Scale Up Project as methods for continuous staff development in the areas of collaboration, common assessments, and best instructional practices in the schools.



<p>Chapter 3 Issue 3-2</p>	<p><b>Commendation 3-C:</b> The district’s Academic Success Center model has proven highly effective in providing academic support to students with and without disabilities in the general education curriculum. This success is evidenced by the district’s student achievement data.</p>
<p>Chapter 3 Issue 3-3</p>	<p><b>Commendation 3-D:</b> Implementation of the BEST program is evident in the schools. MGT observed the school climates to be very positive and supportive of student learning and academic success.</p>
<p>Chapter 3 Issue 3-8</p>	<p><b>Commendation 3-E:</b> The behavioral support team employed by the MSUSD was consistently described by teachers, therapists, and administrators as providing quality support and training in the areas of behavioral support, program development, training, and effective strategies for individual students with autism.</p>
<p>Chapter 3 Issue 3-9</p>	<p><b>Commendation 3-F:</b> The MSUSD has demonstrated a commitment to early identification of individuals with autism spectrum disorders. This is evidenced in their willingness to evaluate children as early as possible if autism is suspected; many are evaluated and identified in prekindergarten.</p>
<p>Chapter 3 Issue 3-10</p>	<p><b>Commendation 3-G:</b> The teachers of students with autism within MDUSD have shown a commitment to the development of best practices in the development of IEPs as demonstrated by their focus on core deficits and positive behavioral support strategies.</p>
<p>Chapter 3 Issue 3-11</p>	<p><b>Commendation 3-H:</b> The MSUSD has shown a commitment to providing specialized educational programs for students with moderate to severe disabilities. This is consistent with best practices as it allows for the implementation of curriculum that reflects the developmental needs of this population, is relevant to their everyday experiences, and provides a framework for the generalization of skills across environments.</p>
<p>Chapter 3 Issue 3-12</p>	<p><b>Commendation 3-I:</b> The MSUSD has shown a commitment to the development of functional and relevant goals, objectives, and activities for students with moderate to severe disabilities by ensuring that all teachers have access to appropriate resources.</p>
<p>Chapter 3 Issue 3-20</p>	<p><b>Commendation 3-J:</b> MSUSD has shown a commitment to the development of research based positive behavioral supports for students with moderate to severe disabilities by providing training to teachers. Teachers involved in the focus group discussion described the training as being effective. They felt confident in their ability to develop appropriate behavioral plans and had access to support from school psychologists or behavioral specialists when assistance was needed.</p> <p>It was evident through interviews with teachers that the certified behavioral specialists on district staff are highly qualified professionals dedicated to addressing the wide range of behavioral needs found within the schools.</p>

## FISCAL IMPACT

**Exhibit ES-1** displays the annual and five-year savings or costs for the issues with fiscal implications, by chapter. If MDUSD exercises all considerations at the maximum estimated savings, the total net five-year savings are more than \$29.95 million. Cost savings are shown in current dollars without adjustment for inflation. It is important to note that fiscal implications for some issues cannot be quantified without further discussion with the District on implementation.

### EXHIBIT ES-1 FISCAL IMPACT SUMMARY

ISSUE		ANNUAL SAVINGS (COSTS)					TOTAL FIVE YEAR SAVINGS (COSTS)
		YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	
<b>CHAPTER 2: District Operations and Associated Financial Effectiveness</b>							
2-2	Decrease Transportation Expenditures by 10 Percent	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000	\$1,750,000
2-4	Eliminate Assistant Superintendent for Pupil Services and Special Education Position	\$181,188	\$181,188	\$181,188	\$181,188	\$181,188	\$905,940
2-4	Eliminate Administrator for Designated Instruction and Services, Resource Position	\$132,931	\$132,931	\$132,931	\$132,931	\$132,931	\$664,655
2-4	Eliminate Administrator for Special Day Centers and Transportation Position	\$121,781	\$121,781	\$121,781	\$121,781	\$121,781	\$608,905
2-4	Eliminate Administrator for Alternative Dispute Resolution and Nonpublic Schools Position	\$129,163	\$129,163	\$129,163	\$129,163	\$129,163	\$645,815
2-4	Eliminate Office Support Designated Instruction and Services, Resource Position	\$72,277	\$72,277	\$72,277	\$72,277	\$72,277	\$361,385
2-4	Eliminate Office Support Special Day Centers and Transportation Position	\$73,792	\$73,792	\$73,792	\$73,792	\$73,792	\$368,960
2-4	Eliminate Consent Decree Secretary Position	\$66,958	\$66,958	\$66,958	\$66,958	\$66,958	\$334,790
2-4	Eliminate Administrative Secretary Position	\$78,302	\$78,302	\$78,302	\$78,302	\$78,302	\$391,510
2-4	Create Director of Special Education Position	(\$132,927)	(\$132,927)	(\$132,927)	(\$132,927)	(\$132,927)	(\$664,635)
2-4	Create Three Program Specialist Position	(\$397,413)	(\$397,413)	(\$397,413)	(\$397,413)	(\$397,413)	(\$1,987,065)
2-5	Eliminate 37 Resource Teacher Positions	\$2,654,602	\$2,654,602	\$2,654,602	\$2,654,602	\$2,654,602	\$13,273,010
<b>CHAPTER 2 TOTAL SAVINGS/(COSTS)</b>		<b>\$3,330,654</b>	<b>\$3,330,654</b>	<b>\$3,330,654</b>	<b>\$3,330,654</b>	<b>\$3,330,654</b>	<b>\$16,653,270</b>
<b>CHAPTER 3: Service Delivery Options and Continuum of Services</b>							
3-21	Eliminate Three Adaptive Physical Education Specialist Positions	\$206,790	\$206,790	\$206,790	\$206,790	\$206,790	\$1,033,950
3-22	Eliminate 65 Special Education Assistant Positions	\$2,454,270	\$2,454,270	\$2,454,270	\$2,454,270	\$2,454,270	\$12,271,350
<b>CHAPTER 3 TOTAL SAVINGS/(COSTS)</b>		<b>\$2,661,060</b>	<b>\$2,661,060</b>	<b>\$2,661,060</b>	<b>\$2,661,060</b>	<b>\$2,661,060</b>	<b>\$13,305,300</b>
<b>GROSS SAVINGS</b>		<b>\$6,522,054</b>	<b>\$6,522,054</b>	<b>\$6,522,054</b>	<b>\$6,522,054</b>	<b>\$6,522,054</b>	<b>\$32,610,270</b>
<b>GROSS (COSTS)</b>		<b>(\$530,340)</b>	<b>(\$530,340)</b>	<b>(\$530,340)</b>	<b>(\$530,340)</b>	<b>(\$530,340)</b>	<b>(\$2,651,700)</b>
<b>NET SAVINGS (COSTS)</b>		<b>\$5,991,714</b>	<b>\$5,991,714</b>	<b>\$5,991,714</b>	<b>\$5,991,714</b>	<b>\$5,991,714</b>	<b>\$29,958,570</b>

***1.0: INTRODUCTION AND  
PEER DISTRICT  
COMPARISONS***

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## **CHAPTER 1: INTRODUCTION AND PEER DISTRICT COMPARISONS**

In September 2009, the Mount Diablo Unified School District (MDUSD) contracted with MGT of America, Inc. (MGT) to conduct a study of the district Special Education and Section 504 Programs. The MGT review team worked collaboratively with MDUSD to conduct this comprehensive study. The review tasks included:

- Analysis of operations of the delivery of special education services throughout the district to ensure the effective use of resources while providing quality special education services to students with disabilities identified under the *Individuals with Disabilities Education Improvement Act (IDEA)* and Section 504 of the *Rehabilitation Act of 1973*.
- Review service delivery options that may be expanded or modified to realize cost savings with recommendations that will suggest strategies for reallocating resources and program development to improve program effectiveness.
- Review the balance between providing a full continuum of services for students with disabilities that are required while providing full consideration of the financial effects that the disproportionate funding of special education has on the district.
- Review communication practices and opportunities for dialog with parents to determine community satisfaction with all district processes relating to obtaining services for their students.
- Analysis of over-representation of students of ethnic subgroup cohorts.
- Review instructional practices, policies, and district procedures that are in place to help increase academic success and thereby reduce disproportionality in the identification of students as disabled under IDEA or Section 504 as well as its relationship to disproportionate discipline rates by school.
- Review progress under *Speiler v Mt. Diablo Unified School District* Consent Decree regarding free status of administrative systemic, programmatic, and architectural barriers.
- Review procedures, practices, communication, training, and resources to allow staff to provide equitable, high quality, effective special education services to all students with Individual Education Plans (IEPs) or Section 504 Plans regardless of the severity or type of disability.

Our methodology for conducting a thorough study of district special education and Section 504 programs is based on state and federal regulations and research-based, proven-effective best practices. An integrated, evaluative approach is reflected in the coordination

of programmatic evaluation tasks and activities with cost analysis tasks and activities, thereby yielding a more comprehensive analysis of the true efficiency, effectiveness, and costs associated with special education services. MGT utilizes quantitative and qualitative data analysis to evaluate the strengths of special education services and delivery models, to analyze MDUSD services, and to identify areas in need of improvement. Our methodology is based on our extensive experience conducting similar studies throughout the country.

The MGT review team used various types of instruments for collecting data and information necessary to complete the special education study, including:

- **Peer District Comparison/Benchmarking.** The practice of benchmarking is often used to make comparisons between and among school districts. Benchmarking refers to the use of commonly held organizational characteristics in making concrete statistical or descriptive comparisons of organizational systems and processes. It is also a performance measurement tool used in conjunction with improvement initiatives to measure comparative operating performance and identify best practices. With this in mind, MGT performed a benchmarking comparison of MDUSD to provide a common foundation from which to compare systems and processes within the school district with those of other, similar districts. MGT and MDUSD jointly selected the peer districts based on factors such as student enrollment, student achievement, and student-to-staff ratios.
- **Stakeholder Survey Instruments.** The instruments created to survey administrators, special education teachers, general education teachers, support staff, and parents were developed from a comprehensive list of evaluation questions we have developed through our experience with similar specialized studies. We jointly selected items appropriate for specific surveys for each group of stakeholders. The stakeholder surveys were tailored so that the opinions of multiple stakeholder groups could be compared in the analysis of the results. The purpose of the surveys was to provide information on indicators of program quality and cost effectiveness. Complete survey results are included in **Appendix A**. MGT uses a statistical formula to establish the survey response rate in order to declare the survey results are “representative” of the population surveyed. In instances when the target return rate is not achieved, the results may still be used as indicators of stakeholder perceptions. In the case of MDUSD, response rates for general education teachers exceeded the standard; all other survey groups were below the standard, as shown in **Exhibit 1-1**.

**EXHIBIT 1-1**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**SUVEY ACTUAL AND TARGET RESPONSE RATES**

SURVEY GROUP	ACTUAL RESPONSES/ POPULATION (N)	RESPONSE PERCENTAGE	TARGET RESPONSES/ POPULATION (N)	TARGET PERCENTAGE
Central Office Administrator	24/27	88.9%	25/27	92.6%
Principal/Assistant Principal	66/108	61.1%	84/108	77.8%
Special Education Teacher	116/218	53.2%	139/218	63.8%
General Education Teacher	402/2,145	18.7%	326/2145	15.2%
Support Staff	54/91	59.3%	74/91	81.3%

Source: Created by MGT of America, Inc., 2010.

- **Onsite Data Collection.** This instrument collected specific data and information to expand on the information gleaned from our earlier review of special education program documentation. It includes data and information about the policies and procedures, early intervening services, school and classroom observations, IEP and 504 Plans, service delivery options, evaluation and placement procedures, student discipline, and the evaluations conducted by the school or program. Fiscal analyses are an extensive part of this study.
- **Onsite Interview Form.** This form was used to conduct personal interviews of the key stakeholders of special education services both at the district and school levels. This instrument solicited opinions about the program models, roles of stakeholders, and barriers to successful maximization of educational goals and objectives of these students.
- **Financial Utilization Profile.** A financial utilization profile was used to provide onsite information on the cost factors that vary among programs with similar titles. In a site-based system of service delivery, costs vary among similar programs depending on the emphasis given to particular forms of service delivery (e.g., students with specific learning disabilities may be served at one school in a pull-out setting with a special education teacher; however, in the next school the same type of student may receive less pull-out support and benefit instead from the aide assigned to the general education classroom. While both options may be programmatically sound, they represent different cost factors in the analysis). The financial utilization profile assisted the review team in determining the qualitative difference among programs when costs are compared.

To identify cost improvements for special education programs whose cost factors vary as a result of a wide range of indirect cost factors, the MGT review team:

- Conducted interviews of stakeholders at a sample of sites.

- Selected a sample of special education programs for more extensive assessment of the cost components of each program.
- Conducted onsite visits to selected schools.
- Collected and analyze financial data in relation to program data to determine the cost effectiveness of special education programs.

The MGT review team conducted onsite visits at 36 schools. Variables considered for selecting the sample included, but were not limited to:

- Student enrollment and student ethnic composition.
- School wealth (free and reduced lunch rate) and total expenditures per student.
- Types of program focus and unique programs provided for students with exceptional needs.
- Special education funds per student.
- Percentage of students classified as students with exceptional needs.
- Geographic distribution throughout the school district.

In summary, MGT's methodology documents and evaluates the programmatic and financial aspects of services offered by the Department of Pupil Services and Special Education.

### **1.1 Overview of Mt. Diablo Unified School District**

According to the district Web site, the Mt. Diablo Unified School District is one of the largest school districts in the state of California. The district has over 56 school sites and programs, more than 34,000 students, and employs 2,168 certificated staff. The district was unified in 1948 and operates on over 150 square miles, including cities of Concord, Pleasant Hill, Clayton; portions of Walnut Creek and Martinez, unincorporated areas, including Lafayette, Pacheco, and Bay Point.

The district's mission states:

*Mt. Diablo Unified School District is to be a district in which all students, staff and community:*

- *Treat each other with dignity and respect.*
- *Respect cultural, racial and economic diversity.*

- *Assume responsibility for the educational and individual needs of students.*
- *Support each other in achieving meaningful outcomes to enable individuals to experience success.*
- *Use technology to access, manage and communicate information.*
- *Collaborate to achieve mutual goals.*
- *Encourage students to become responsible citizens in a democratic society.*

*The Mt. Diablo Unified School District is to be a district in which all schools:*

- *Provide effective instruction as the focus of all activity.*
- *Provide a safe, secure, nurturing, and stimulating learning environment.*
- *Arrange time and space around the needs of the student.*
- *Are recognized and supported for their individuality and culture.*
- *Support students in achieving meaningful outcomes to prepare them to be successful adults.*

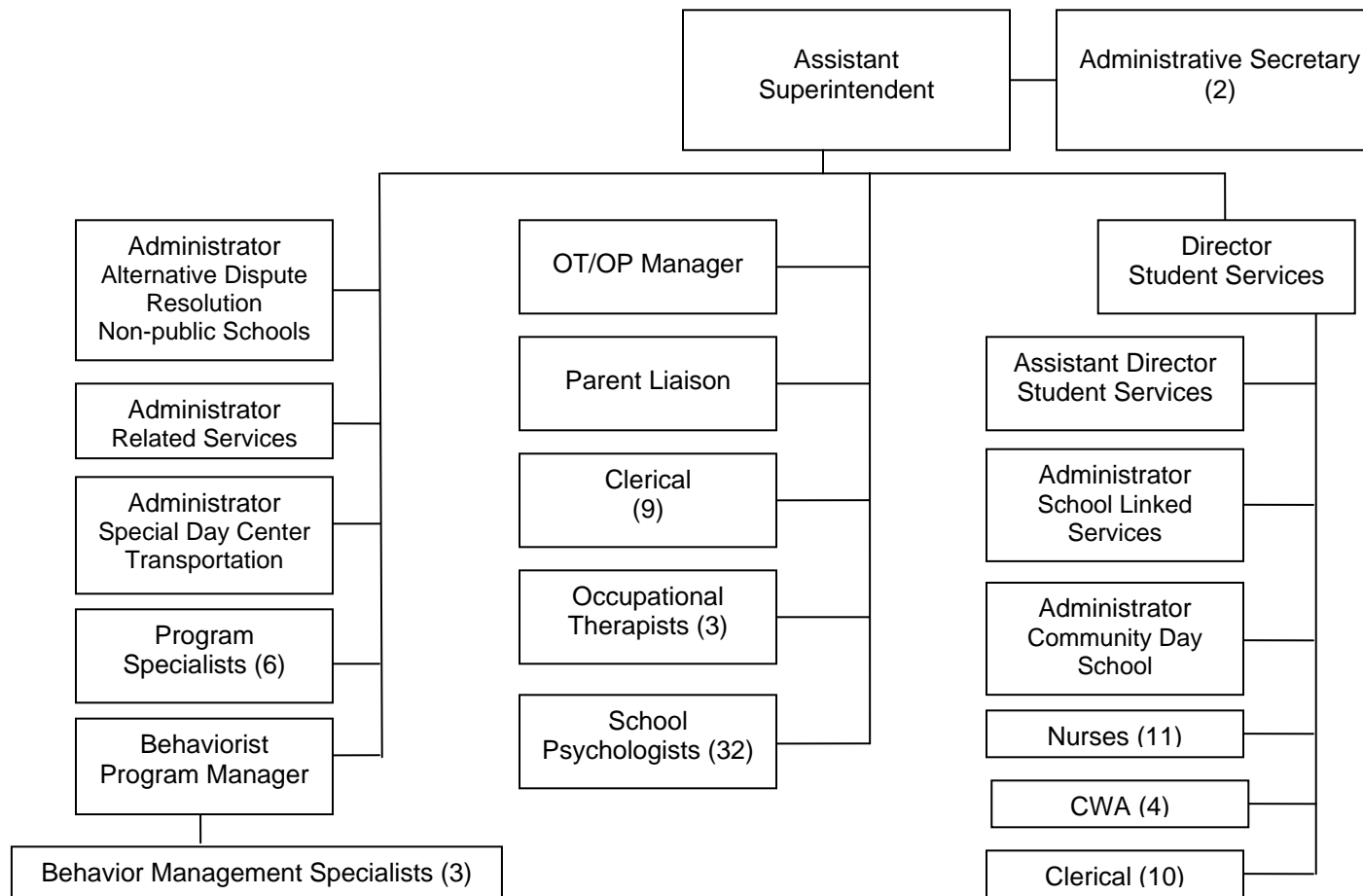
According to the district Web site, MDUSD is governed by the Board of Education which consists of five elected members. The board's goals are as follows:

- Improve the achievement of all students and close the achievement gap.
- Improve attendance and reduce lost average daily attendance (ADA).
- Insure access to all programs and services for all students.
- Improve maintenance and facilities and appearance of the grounds.
- Address legal and programmatic mandates.
- Support new program initiatives.
  - Career Integrated Academics
  - Early childhood education
  - Smaller Learning Communities
- Maintain sound fiscal procedures and practices.

The California Department of Education reports that MDUSD enrolls over 4,000 special education students, approximately 11 percent of the student population. The 2008-09 adopted budget for special education was \$70,979,394 with a budget encroachment of \$33,935,447. **Exhibit 1-2** displays the Department of Pupil Services and Special Education organization in MDUSD.



**EXHIBIT 1-2  
MT. DIABLO UNIFIED SCHOOL DISTRICT DEPARTMENT OF PUPIL SERVICES AND SPECIAL EDUCATION  
ORGANIZATIONAL STRUCTURE  
2009-10 SCHOOL YEAR**



Source: Mt. Diablo Unified School District, Department of Special Education, 2009.

According to the district Web site, the Department of Special Education's mission in the Mt. Diablo Unified School District is to contribute to improving learning for students across the district by:

- *Implementing the Mandates of I.D.E.A. 1997*
- *Aligning Special Education Renewal with Board Goals*
- *Improving student outcomes*
- *Improving specialized instruction*
- *Identifying and assessing students with special needs*
- *Aligning special education and general education curriculum/identifying target issues and attitudes*
- *Building bridges among special education participants*
- *Clarifying roles and responsibilities*
- *Identifying and implementing resources*
- *Facilitating communication*
- *Increasing the availability of technology*
- *Providing parent education*
- *Celebrating success*
- *Participating in the State Department's Quality Assurance process*

In a message from the superintendent dated June 2009, funding for public education is discussed. The message states that the reductions they are experiencing now have not been made in California since the 1930s. At the June 2, 2009 board meeting, a number of reductions and eliminations totaling \$29.3 million were made. In regards to special education, reductions/eliminations include:

- Fund costs of special education program using ARRA funds.
- Eliminate 1.0 FTE senior secretary in Special Education/Student Services.
- Transfer .39 FTE funding for an administrative secretary in Special Education/Student Services to Medi-Cal.

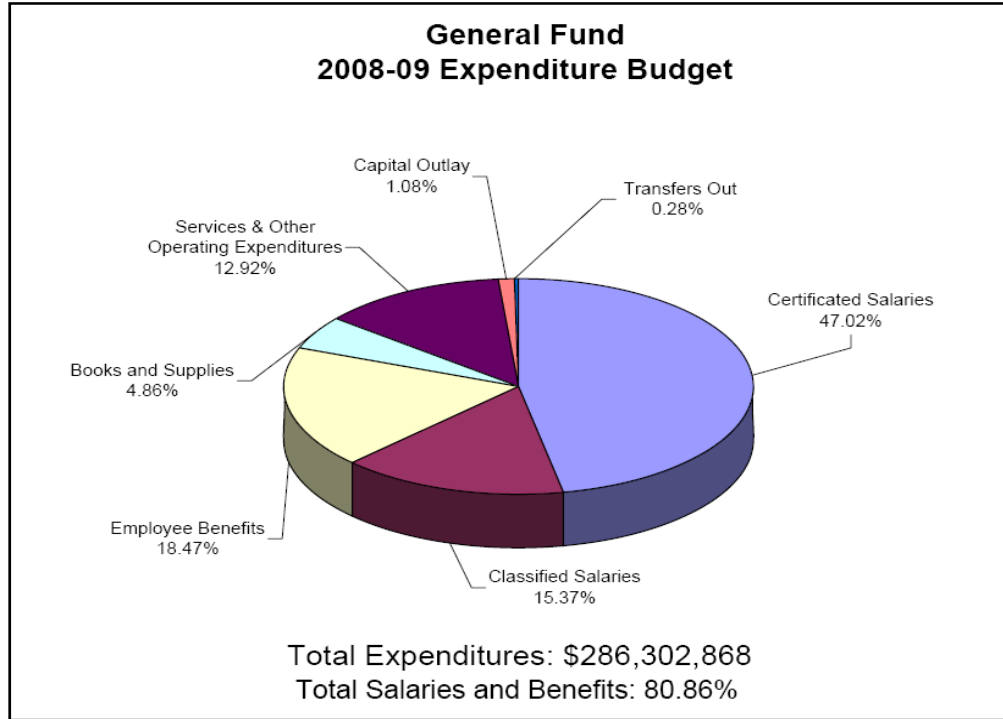
Reductions/eliminations/new positions approved between 2008 and March 2009 in regards to special education include:

- Reduce contracted services for speech language pathologists.
- Reduce contracted services for occupational therapists.
- Create one occupational therapist position, effective February 1, 2009.
- Reduce contract nursing services.
- Add two licensed nurse positions.
- Eliminate two vacant special education assistant positions.
- Eliminate vacant occupational therapy assistant position.
- Reduce contracted services for behaviorists.
- Create educational consultant and behavior management specialist position.
- Eliminate intermediate typist clerk position in special education.
- Reduce special education staffing by 3.0 FTE.
- Eliminate 5.0 FTE resource specialist positions.
- Reduce five .75 FTE special education classroom assistants.
- Eliminate two psychologist positions.
- Reduce nonpublic school budget by \$400,000.
- Eliminate 1.0 FTE inclusion teacher position.

In Chapter 2 District Operations and Associated Financial Effectiveness, we will discuss how these recommendations are in alignment with MGT's findings and considerations for modifications of current funding and service delivery.

**Exhibit 1-3** shows the MDUSD 2008-09 expenditures budget. As shown, total expenditures are over \$286 million, with over 80 percent allotted to salaries and benefits.

**EXHIBIT 1-3  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
2008-09 EXPENDITURE BUDGET**



Source: MDUSD 2008-09 Adopted Budget.

**Exhibit 1-4** shows the number and percentage of students with disabilities by category in MDUSD and California for the 2008-09 school year. As shown, the largest percentage of the MDUSD special education population has specific learning disabilities (32.14%) or speech or language impairments (31.89%). Statewide distribution shows almost 43 percent of special education students have specific learning disabilities and over 25 percent have speech or language impairments.

**EXHIBIT 1-4**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT AND CALIFORNIA**  
**SPECIAL EDUCATION ENROLLMENT**  
**2008-09 SCHOOL YEAR**

DISABILITY	MT. DIABLO		CALIFORNIA	
	TOTAL*	PERCENT	TOTAL*	PERCENT
Mental Retardation	209	5.22%	42,646	6.29%
Hard of Hearing	84	2.10%	9,016	1.33%
Deaf	57	1.42%	4,162	0.61%
Speech or Language Impairment	1,277	31.89%	172,669	25.46%
Visual Impairment	33	0.82%	4,588	0.68%
Emotional Disturbance	258	6.44%	27,124	4.00%
Orthopedic Impairment	74	1.85%	15,404	2.27%
Other Health Impairment	310	7.74%	50,614	7.46%
Specific Learning Disability	1,287	32.14%	291,456	42.98%
Deaf- Blindness	1	0.02%	182	0.03%
Multiple Disability	11	0.27%	5,210	0.77%
Autism	393	9.82%	53,183	7.84%
Traumatic Brain Injury	10	0.25%	1,851	0.27%
<b>TOTAL</b>	<b>4,004</b>	<b>100.00%</b>	<b>678,105</b>	<b>100.00%</b>

Source: California Department of Education, DataQuest, 2009.

\*Total includes all special education students ages 0-22 years.

**Exhibit 1-5** shows California Standards Test (CST) results by subject for Grades 3, 5, and 8 for students with disabilities in MDUSD and California. As shown, MDUSD has:

- Lower percentages of students with disabilities scoring at each level for both English Language Arts and Math compared to the state.
- Over 20 percent of Grade 3 students with disabilities scoring at the advanced level in Math.

**EXHIBIT 1-5  
MT. DIABLO UNIFIED SCHOOL DISTRICT AND CALIFORNIA  
CALIFORNIA STATE TESTS (CST)  
RESULTS BY SUBJECT AND GRADE  
STUDENTS WITH DISABILITIES  
2007-08 SCHOOL YEAR**

CST		BASIC		PROFICIENT		ADVANCED	
		MDUSD	CALIFORNIA	MDUSD	CALIFORNIA	MDUSD	CALIFORNIA
English Language Arts	Grade 3	27%	34%	14%	26%	7%	12%
	Grade 5	21%	33%	14%	30%	7%	18%
	Grade 8	22%	29%	12%	27%	3%	18%
Math	Grade 3	19%	21%	15%	28%	23%	33%
	Grade 5	19%	24%	12%	29%	6%	22%
	Grade 8	17%	29%	10%	25%	3%	6%

Source: California Department of Education, DataQuest, 2009.

**1.2 Comparison of MDUSD with Similar School Districts**

Educational programs, including special education programs, are frequently evaluated by analyzing trends related to student performance, staffing, and fiscal allocations over several school years. Additionally, a comprehensive programmatic review of special education services often includes an examination of how the programs and financial resources compare with programs and resources in similar school districts. These data contribute to an understanding of the unique demographic characteristics, resources, and expenditures of the MDUSD special education programs and supplement the analysis of the issues and challenges faced by school district managers.

MGT conducted a benchmarking comparison of MDUSD to provide a common foundation from which to compare systems and processes within the school district with those of other, similar districts. It is important for readers to keep in mind that when comparisons are made across districts, the data may not be reliable as different school districts have different operational definitions, and data self-reported by school districts can be subjective. Data for this preliminary comparison was taken from the California Department of Education Web site and Standard & Poor’s SchoolDataDirect Web site whenever possible to provide standardized data across school districts.

MGT and the district jointly selected several California school districts to compare with MDUSD. Peers were selected based on student enrollment, student achievement, and student-to-staff ratios. The California school districts selected for this proposal are:

- West Contra Costa Unified School District
- Clovis Unified School District

- Moreno Valley Unified School District
- Elk Grove Unified School District
- Folsom-Cordova Unified School District
- Stockton City Unified School District

As stated previously, when comparing information across databases of multiple districts, a common set of operational definitions should be established so that comparable data are analyzed to the greatest extent possible. For example, an administrator in one school district may be categorized as a non-administrative coordinator in another school district. Many of the national statistical databases compile data using standardized criteria to account for this variance. Thus, nationally standardized data were used to promote relevant and valuable comparisons whenever possible.

Information displayed in the exhibits of this chapter includes data from the following sources and reports, and wherever available, from the 2008-09 school year:

- California Department of Education
- Standard & Poor’s SchoolDataDirect Web site

**Exhibit 1-6** presents several important demographics for MDUSD and its peers in the 2008-09 school year. Compared to the peer average, MDUSD had:

- A lower student enrollment, a lower percentage of students eligible for free/reduced priced meals, and a lower percentage of English language learners.
- A higher population of special education students and a higher number of schools.

**EXHIBIT 1-6  
MT. DIABLO UNIFIED SCHOOL DISTRICT AND PEERS  
OVERVIEW  
2008-09 SCHOOL YEAR**

SCHOOL DISTRICT	ENROLLMENT	SPECIAL EDUCATION ENROLLMENT	PERCENTAGE FREE/REDUCED MEALS	PERCENTAGE ENGLISH LANGUAGE LEARNERS	TOTAL NUMBER OF SCHOOLS
<b>Mt. Diablo Unified</b>	<b>34,953</b>	<b>4,004</b>	<b>35.4%</b>	<b>18.9%</b>	<b>55</b>
West Contra Costa Unified	30,767	4,406	64.2%	32.6%	65
Clovis Unified	37,461	2,830	30.0%	8.3%	45
Moreno Valley Unified	36,092	3,960	73.9%	28.2%	38
Elk Grove Unified	62,172	6,003	48.1%	16.0%	66
Folsom-Cordova Unified	19,119	2,638	31.6%	11.9%	34
Stockton City Unified	37,831	3,689	78.9%	28.0%	57
<b>DISTRICT AVERAGE</b>	<b>36,914</b>	<b>3,933</b>	<b>51.7%</b>	<b>20.6%</b>	<b>51</b>

Sources: California Department of Education, Ed-Data, NCES Common Core of Data, 2009.

Note: Enrollment and students with IEPs may not match, due to the use of multiple sources and variances in data reporting.

**Exhibit 1-7** displays the number of pupil services staff for MDUSD, its peers, and their counties in the 2008-09 school year. Compared to the district average, MDUSD had:

- Fewer counselors, nurses, and speech/language/hearing specialist.
- More psychologist, social workers, and librarians/media teachers.

Compared to the county average, Contra Costa County had:

- Fewer counselors, psychologists, social workers, nurses, speech/language/hearing specialists, and resource specialists.
- More librarians/media teachers.



**EXHIBIT 1-7  
MT. DIABLO UNIFIED SCHOOL DISTRICT AND PEERS  
PUPIL SERVICES STAFFING  
2008-09 SCHOOL YEAR**

<b>DISTRICT</b>	<b>COUNSELOR</b>	<b>PSYCHOLOGIST</b>	<b>LIBRARIAN/ MEDIA TEACHER</b>	<b>SOCIAL WORKER</b>	<b>NURSE</b>	<b>SPEECH/ LANGUAGE/ HEARING SPECIALIST</b>	<b>RESOUCE SPECIALIST (NON- TEACHING)</b>	<b>OTHER</b>
<b>Mt. Diablo Unified</b>	<b>27</b>	<b>36</b>	<b>29</b>	<b>2</b>	<b>11</b>	<b>26</b>	<b>0</b>	<b>6</b>
<b>Contra Costa County</b>	<b>202</b>	<b>157</b>	<b>67</b>	<b>4</b>	<b>38</b>	<b>141</b>	<b>33</b>	<b>105</b>
West Contra Costa Unified	45	35	11	0	4	41	5	6
Contra Costa County	202	157	67	4	38	141	33	105
Clovis Unified	73	39	6	0	31	36	0	9
Fresno County	268	167	43	6	152	193	23	189
Moreno Valley Unified	74	22	0	0	9	11	0	3
Riverside County	601	236	46	4	118	314	80	169
Elk Grove Unified	99	32	18	2	13	42	5	13
Sacramento County	326	162	44	17	101	226	76	291
Folsom-Cordova Unified	26	18	0	1	14	32	0	12
Sacramento County	326	162	44	17	101	226	76	291
Stockton Unified	19	20	2	2	15	11	3	18
San Joaquin County	151	107	16	2	44	102	20	51
<b>DISTRICT AVERAGE</b>	<b>52</b>	<b>29</b>	<b>9</b>	<b>1</b>	<b>14</b>	<b>28</b>	<b>2</b>	<b>10</b>
<b>COUNTY AVERAGE</b>	<b>310</b>	<b>166</b>	<b>43</b>	<b>7</b>	<b>91</b>	<b>195</b>	<b>46</b>	<b>161</b>
<b>STATEWIDE</b>	<b>9,435</b>	<b>4,843</b>	<b>1,151</b>	<b>412</b>	<b>2,901</b>	<b>5,211</b>	<b>1,812</b>	<b>4,069</b>

Source: California Department of Education, Educational Demographics Office, DataQuest December 2009.

**Exhibit 1-8** presents the percentage of special education enrollment by disability category in MDUSD and its peers in the 2008-09 school year. Compared to the peer average, MDUSD had:

- Fewer total special education students.
- A lower percentage of students with mental retardation, speech or language impairment, and specific learning disability.
- A higher percentage of students with emotional disturbance, and autism.
- A similar percentage of students with other health impairments.

**EXHIBIT 1-8  
MT. DIABLO UNIFIED SCHOOL DISTRICT AND PEERS  
SPECIAL EDUCATION ENROLLMENT BY DISABILITY  
2008-09 SCHOOL YEAR**

<b>SELPA</b>	<b>MENTAL RETARDATION</b>	<b>SPEECH OR LANGUAGE IMPAIRMENT</b>	<b>EMOTIONAL DISTURBANCE</b>	<b>OTHER HEALTH IMPAIRMENT</b>	<b>SPECIFIC LEARNING DISABILITY</b>	<b>AUTISM</b>	<b>TOTAL NUMBER</b>
<b>Mt. Diablo Unified</b>	<b>5.22%</b>	<b>31.89%</b>	<b>6.44%</b>	<b>7.74%</b>	<b>32.14%</b>	<b>9.82%</b>	<b>4,004</b>
West Contra Costa Unified	7.72%	39.24%	1.52%	2.35%	45.45%	5.97%	4,406
Clovis Unified	5.92%	22.65%	1.97%	7.52%	23.05%	4.65%	2,830
Moreno Valley Unified	7.87%	23.33%	5.04%	4.97%	47.75%	4.57%	3,960
Elk Grove Unified	14.06%	31.09%	10.06%	6.74%	68.08%	14.76%	6,003
Folsom-Cordova Unified	2.32%	21.93%	3.02%	1.97%	28.67%	5.42%	2,638
Stockton City Unified	9.02%	31.54%	3.00%	5.34%	29.40%	4.87%	3,689
Desert Mountain SELPA	19.68%	59.92%	11.29%	24.93%	112.51%	13.54%	10,363
<b>AVERAGE</b>	<b>8.98%</b>	<b>32.70%</b>	<b>5.29%</b>	<b>7.70%</b>	<b>48.38%</b>	<b>7.95%</b>	<b>4,737</b>

Source: Created by MGT of America, Inc. based on data collected from California Department of Education, Special Education Division, Reporting Cycle: December 1, 2008, DataQuest December 2009.

Note: Percentages do not equal 100 percent, as not all disability categories are shown.

**Exhibit 1-9** presents the AYP proficiency for students with disabilities compared to AYP targets for MDUSD and its peers in the 2007-08 school year. Compared to the peer and state averages, MDUSD had slightly lower performance rates for both language arts and math.

**EXHIBIT 1-9  
MT. DIABLO UNIFIED SCHOOL DISTRICT AND PEERS  
AYP PROFICIENCY FOR STUDENTS WITH DISABILITIES  
COMPARED TO AYP TARGETS  
2007-08 SCHOOL YEAR**

DISTRICT	LANGUAGE ARTS			MATH		
	Performance	Target	Above (Below) Target	Performance	Target	Above (Below) Target
<b>Mt. Diablo Unified</b>	<b>23.7</b>	<b>34.0</b>	<b>(10.3)</b>	<b>25.0</b>	<b>34.6</b>	<b>(9.6)</b>
West Contra Costa Unified	24.6	34.0	(9.4)	27.7	34.6	(6.9)
Clovis Unified	35.5	34.0	1.5	41.1	34.6	6.5
Moreno Valley Unified	16.6	34.0	(17.4)	19.0	34.6	(15.6)
Elk Grove Unified	23.3	34.0	(10.7)	27.0	34.6	(7.6)
Folsom-Cordova Unified	32.3	34.0	(1.7)	34.8	34.6	0.2
Stockton City Unified	16.7	34.0	(17.3)	20.7	34.6	(13.9)
<b>AVERAGE</b>	<b>24.7</b>	<b>34.0</b>	<b>(9.3)</b>	<b>27.9</b>	<b>34.6</b>	<b>(6.7)</b>
<b>STATE</b>	<b>24.1</b>	<b>34.0</b>	<b>(9.9)</b>	<b>27.5</b>	<b>34.6</b>	<b>(7.1)</b>

Source: SchoolDataDirect.org, December 2009.

**Exhibit 1-10** presents NCLB Core and Compliant classes for MDUSD and its peers in the 2008-09 school year. Compared to the peer and state averages, MDUSD had higher percentages of compliant classes.

**EXHIBIT 1-10  
MT. DIABLO UNIFIED SCHOOL DISTRICT AND PEERS  
NCLB CORE AND COMPLIANT CLASSES  
2008-09 SCHOOL YEAR**

DISTRICT	ELEMENTARY SPECIAL EDUCATION			SECONDARY SPECIAL EDUCATION		
	No. of Classes	Number Compliant	Percent Compliant	No. of Classes	Number Compliant	Percent Compliant
<b>Mt. Diablo Unified</b>	<b>55</b>	<b>52</b>	<b>94.55</b>	<b>111</b>	<b>96</b>	<b>86.49</b>
West Contra Costa Unified	28	20	71.43	213	100	46.95
Clovis Unified	0	0	N/A	42	10	23.81
Moreno Valley Unified	1	1	100	87	69	79.31
Elk Grove Unified	130	128	98.46	182	172	94.51
Folsom-Cordova Unified	28	25	89.29	133	84	63.16
Stockton City Unified	69	64	92.75	152	140	92.11
<b>AVERAGE</b>	<b>44</b>	<b>41</b>	<b>91.08</b>	<b>131</b>	<b>96</b>	<b>69.48</b>
<b>STATE</b>			<b>92.45</b>			<b>71.53</b>

Source: California Department of Education, Educational Demographics Unit, DataQuest December 2009.

**Exhibit 1-11** presents California state tests proficiency for students with disabilities for MDUSD and its peers on the 2009 STAR. Compared to the peer average, MDUSD had:

- Higher percentages of students with disabilities scoring at least basic in grades 3 and 8 for both language arts and math.
- Lower percentages of students with disabilities scoring at least basic in grade 5 for both language arts and math.

**EXHIBIT 1-11**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT AND PEERS**  
**STUDENTS WITH DISABILITIES**  
**2009 STANDARDIZED TESTING AND REPORTING (STAR) TESTS RESULTS**

DISTRICT	GRADE	LANGUAGE ARTS		MATH	
		Advanced + Proficient/ Basic	Below/ Far Below Basic	Advanced + Proficient/ Basic	Below/ Far Below Basic
Mt. Diablo Unified	3	32/23	19/26	51/14	21/14
	5	28/21	20/31	25/22	27/25
	8	16/34	18/32	7/25	38/30
West Contra Costa Unified	3	19/28	28/25	47/27	20/7
	5	27/32	19/22	34/23	25/18
	8	12/20	26/42	0/5	39/57
Clovis Unified	3	43/24	21/13	63/17	17/4
	5	46/37	14/3	48/26	19/6
	8	13/30	22/34	15/23	38/23
Moreno Valley Unified	3	19/24	32/25	36/22	30/12
	5	23/35	19/23	26/22	33/19
	8	7/28	33/32	3/17	42/38
Elk Grove Unified	3	22/16	25/37	36/18	26/20
	5	17/24	20/39	22/15	27/36
	8	9/23	22/47	10/21	38/31
Folsom-Cordova Unified	3	38/27	12/23	55/16	18/11
	5	46/24	13/17	42/22	20/16
	8	23/25	25/27	9/20	49/22
Stockton City Unified	3	10/13	20/57	27/17	25/31
	5	10/16	22/52	20/13	24/43
	8	6/11	23/60	3/11	41/45
<b>AVERAGE</b>	<b>3</b>	<b>26/22</b>	<b>22/29</b>	<b>45/19</b>	<b>22/14</b>
	<b>5</b>	<b>28/27</b>	<b>18/27</b>	<b>31/20</b>	<b>25/23</b>
	<b>8</b>	<b>12/24</b>	<b>24/39</b>	<b>7/17</b>	<b>41/35</b>

Source: California Department of Education, January 2010.

***2.0: DISTRICT OPERATIONS  
AND ASSOCIATED FINANCIAL  
EFFECTIVENESS***

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## **CHAPTER 2: DISTRICT OPERATIONS AND ASSOCIATED FINANCIAL EFFECTIVENESS**

This chapter examines the operations, continuum of services, and associated financial effectiveness of the Mt. Diablo Unified School District (MDUSD) Department of Pupil Services and Special Education. According to federal law, schools must offer a continuum of services from least to most restrictive setting. The most typical and inclusive setting is general education, followed by resource rooms, special classes, special schools, homebound services and hospitals and institutions (20.U.S.C. Sec. 1401 (25)).

The specific sections of this chapter include:

- 2.1 Financial Operations
- 2.2 Organizational Structure

The following factors must be taken into account in determining whether a student will receive an appropriate education in the least restrictive environment (LRE) (*Board of Education, Sacramento City Unified School District v. Holland, 1994*):

- The educational benefits of an integrated setting compared to those of the segregated setting.
- The nonacademic benefits of the student's interaction with peers who do not have disabilities.
- The effect of the student's presence in the general education program on the teacher and other students.
- The costs of supplemental services that are required to maintain the student in the integrated program.

While a school district must adhere to state and federal regulations of the *Individuals with Disabilities Education Improvement Act 2004 (IDEA)* and *No Child Left Behind (NCLB)*, the district must also adhere to the local policies and procedures of operations and demonstrate associated financial effectiveness.

**Exhibit 2-1** shows a comparison of the district's budget over the past two years. MDUSD's budgeted expenditures for FY 2009-10 are \$267,212,952, while budgeted revenues amount to \$266,808,069, resulting in a shortfall of \$404,883.



**EXHIBIT 2-1  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
COMPARISON OF BUDGETED REVENUES AND EXPENDITURES  
FY 2008-09 AND FY 2009-10**

	<b>2008-09 Budget</b>	<b>2009-10 Budget</b>	<b>Amount Increase/ (Decrease)</b>	<b>Percent Increase/ (Decrease)</b>
<b>Revenues</b>				
Revenue Limit Sources	\$193,888,662	\$174,716,743	(\$19,171,919)	-9.89%
Federal Revenue	14,374,970	22,746,451	8,371,481	58.24%
Other State Revenue	64,932,206	60,890,740	(4,041,466)	-6.22%
Other Local Revenue	6,640,021	8,454,135	1,814,114	27.32%
<b>Total Revenues</b>	\$279,835,859	\$266,808,069	(\$13,027,790)	-4.66%
<b>Expenditures</b>				
Certificated Salaries	\$134,620,012	\$123,663,118	(\$10,956,894)	-8.14%
Classified Salaries	43,995,221	40,242,768	(3,752,453)	-8.53%
Employee Benefits	52,872,412	53,707,432	835,020	1.58%
Books and Supplies	13,925,311	12,773,291	(1,152,020)	-8.27%
Services and Other Operating Expenses	36,994,839	33,963,449	(3,031,390)	-8.19%
Capital Outlay	3,080,836	192,720	(2,888,116)	-93.74%
Other Outgo	1,455,622	3,434,397	1,978,775	135.94%
Transfers of Indirect Costs	(641,384)	(764,223)	(122,839)	19.15%
<b>Total Expenditures</b>	\$286,302,869	\$267,212,952	(\$19,089,917)	-6.67%
Excess/(Deficiency) of Revenues over Expenditures	(\$6,467,010)	(\$404,883)	\$6,062,127	-93.74%
Transfers Out	\$1,608,393	-	(\$1,608,393)	-100.00%

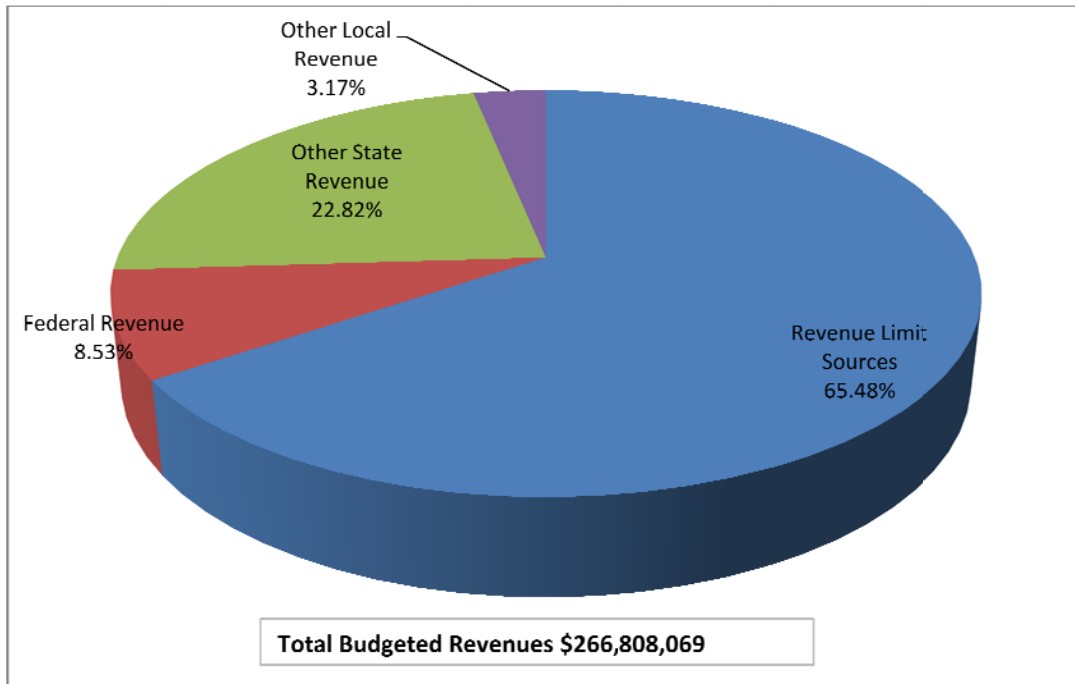
Source: Mt. Diablo Unified School District, Department of Finance, 2009.

**Exhibit 2-2** provides a summary of revenues for MDUSD. California school districts are allotted state funding referred to as “revenue limit.” Revenue limit, which accounted for over 65 percent of MDUSD’s total revenue for FY 2009-10, is based on a state funding formula. In general, revenue limit is based on per-pupil funding amounts, supplemented by special allocations for free/reduced price meals for economically disadvantaged students, beginning teacher funding, and other sources. This per-pupil allocation is then reduced by the amount of a district’s local property tax revenues. The balance is then provided to each district.

Other state revenue, which accounted for almost 23 percent of MDUSD revenues for FY 2009-10, includes special education funding, transportation funding, class size reduction funding, and state grant awards.

Federal sources of funding for Title I and special education amounted to almost nine percent of the district's revenues for FY 2009-10, while other local revenue provided just over two percent of revenue for this time period.

**EXHIBIT 2-2  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
BUDGETED REVENUES  
FY 2009-10**



Source: Mt. Diablo Unified School District, Department of Finance, 2009.

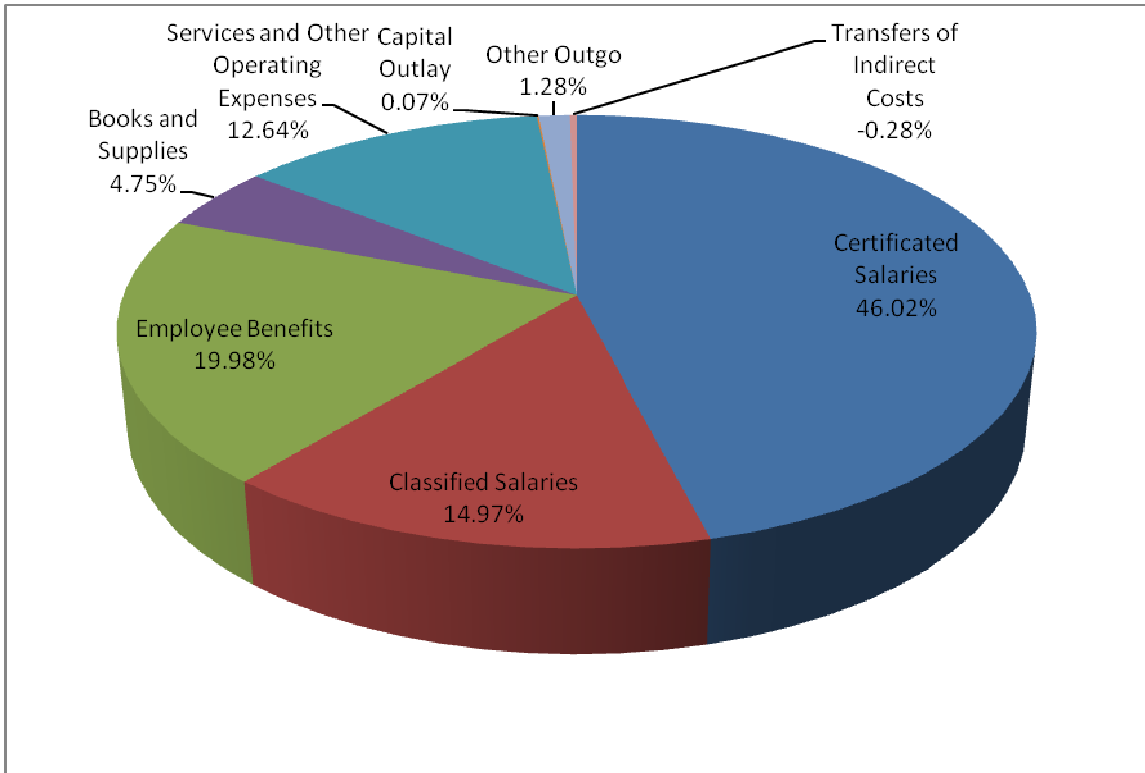
**Exhibit 2-3** provides a summary of expenditures for MDUSD. FY 2008-09 was a difficult year financially for the district, as the state declared a financial crisis. Because of \$4.6 billion in statewide cuts to education funding, MDUSD was forced to eliminate \$14 million from its FY 2008-09 budget. However, actual reductions achieved by the district amounted to \$17 million.

For FY 2009-10, the district reduced its budgeted expenditures by another \$8 million of annual expenditures, and an additional \$22 million in one-time expenditures. To achieve these reductions, the district put in place the following expenditure reduction strategies:

- Increased class sizes
- Eliminated positions
- Cut or reduced programs

Making the district's task of balancing its budget even more arduous, voters rejected a tax increase in May 2009.

**EXHIBIT 2-3  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
BUDGETED EXPENDITURES  
FY 2009-10**



Source: Mt. Diablo Unified School District, Department of Finance, 2009.

MDUSD’s expenditures for special education amounted to \$70 million in FY 2008-09, which was \$5 million under budget. Special education spending includes salaries for teachers, central office special education staffing, and resource professionals such as mental health providers. After salaries, the largest expenditures for special education include nonpublic school placements (\$7.5 million in FY 2008-09) and transportation (\$3.2 million in FY 2008-09).

MDUSD’s Board of Education annually approves the transfer of general funding to special education funding. In FY 2008-09 this transfer amounted to approximately \$35 million, and approximately \$32 million for FY 2009-10.

**2.1 Financial Operations**

**Issue 2-1: General Fund Transfers to Special Education.**

MDUSD transfers approximately \$30 to \$35 million annually from its general fund to its special education fund. While districts are expected to contribute to special education

funding, the amounts transferred by MDUSD are excessive. Based on data provided by the Department of Finance and review of documents, MGT consultants did not find any specific policy or procedure related to fund balance other than state requirements establishing minimal levels. Without such a policy or procedure, it is difficult to regulate internal budget transfers.

Fund balance reserves are like savings accounts, and school districts and other organizations establish reserves for payroll and other expenditures in the event that regular revenues are not available. In a school environment any delays in receiving federal or state funding, or any unforeseen expenditures, necessitate having reserves to ensure that the district can pay for regular operating expenditures.

Without a fund balance policy, the district may be inclined to over-spend or commit resources that do not exist.

**Considerations for Issue 2-1:**

- Adopt and adhere to a fund balance policy to ensure that adequate reserves are maintained.
- Hold administrative staff to the proposed fund balance policy and include such accountability in the administrative evaluation process. Administrators must not only effectively manage federally mandated services to students, but also maintain a fiscal responsibility to the district.
- Develop strategies to reduce the amount of general funding that is provided to special education. The current practice will continue to deplete the district's fund balance reserves, as well as to diminish resources available for general education purposes.

**Cost Implications for Issue 2-1:**

The cost implications of this issue cannot be estimated at this time.

**Issue 2-2: Special Education Transportation Budget.**

MDUSD overspent its special education transportation budget and nonpublic school transportation budget for FY 2008-09 as shown in **Exhibit 2-4**. A total of \$2.7 million (revised budget) was approved for the period, but actual expenditures exceeded the budget by \$880,471, or almost 33 percent.

District staff explained that due to payroll coding errors that were not caught in a timely manner, these figures are overstated. Although some incorrectly charged expenditures were identified and corrected, there remains a portion of general fund transportation expenditures under Special Education transportation that could not be identified.

**EXHIBIT 2-4  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
COMPARISON OF BUDGET TO ACTUAL TRANSPORTATION SPENDING  
FY 2008-09**

<b>CATEGORY</b>	<b>ADOPTED BUDGET</b>	<b>REVISED BUDGET</b>	<b>ACTUAL EXPENDITURE</b>	<b>AMOUNT UNDER/(OVER) BUDGET</b>	<b>PERCENT UNDER/(OVER) BUDGET</b>
Special Education Transportation	\$3,717,039	\$2,417,338	\$3,207,611	(\$790,273)	(32.69%)
Nonpublic Schools Transportation	\$263,865	\$263,865	\$354,063	(\$90,198)	(34.18%)
<b>Total Transportation Spending</b>	<b>\$3,980,904</b>	<b>\$2,681,203</b>	<b>\$3,561,674</b>	<b>(\$880,471)</b>	<b>(32.84%)</b>

Source: Mt. Diablo Unified School District, Department of Finance, 2009.

Interviews with special education staff indicate that by forming a committee made up of financial and program staff to review transportation routes and renegotiate transportation terms with vendors, the district will be able to save \$50,000 in FY 2009-10. However, routes continue to be highly customized and there is opportunity for further savings.

Transportation for students with disabilities is considered a related service. Based on the goals and objectives of the Individual Educational Program (IEP), students with disabilities may be entitled to special education transportation. In many cases and with careful review of individual student needs, students with disabilities may be able to utilize general education transportation and would not require transportation as a related service under the IDEA. The student's IEP drives transportation as a related service. With the number of specialized programs for students with disabilities in MDUSD, special education costs have exceeded the budgeted allocations. Districtwide programs such as the autistic specific classes, mental health collaborative, counseling enriched class, and assistive augmentative communication classes provide intensive services as prescribed on IEPs, but lend themselves to high cost transportation for students with disabilities throughout the district who are assigned to those programs.

Refer to Chapter 3 for additional discussion of transportation costs.

**Consideration for Issue 2-2:**

- Provide savings in the expenditure category by aggressively pursuing alternatives to current transportation services, seeking a broader base of vendors willing to provide transportation services, and by implementing routing changes. A transportation services Request for Proposals (RFP) is planned for the 2010-11 school year to seek a more cost-effective provider. Special Education closely reviews student transportation requirements to ensure that the placement is cost-efficient and effective while staying within the transportation requirements of the education code. (Based on input from district administration, it should be noted that the

district cannot contract union work to vendors unless and until the Governor’s proposed changes for the 2010-11 budget year are enacted by the Legislature.)

- Adhere to special education services within natural feeder patterns to provide special education services in the least restrictive environment, to the greatest extent possible, thus decreasing transportation costs to the district.
- Eliminate all special education transportation services that are not necessary as an IEP related service. This might include, but may not be limited to, transport to and from nonpublic placements for students and/or their parents or transportation to/from medically relevant therapy.

**Cost Implications for Issue 2-2:**

MDUSD should target a 10 percent savings rate for transportation expenditures. Based on 2008-09 actual expenditures, this would equate to a \$350,000 savings annually. A five-year savings would equate to \$1,750,000.

<b>CONSIDERATION</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>
Decrease Transportation Expenditures by 10 Percent	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000

**Issue 2-3: Special Education Spending at the School Level.**

In discussions with central office special education and financial management staff as well as school-based staff, the review team found that school principals are not completely aware of the amount of special education spending that occurs on their campuses. In addition, school-based staff often are not fully informed of special education changes that will affect their campuses in regards to programs, staffing, classroom space, and design. One example of this is a new center program for autistic children implemented at Ygnacio Valley Elementary School. School staff were not aware of the new program until it was ready to be implemented at their school, and school staff do not have access to the budgetary and financial decisions or outcomes of the program. It appears that when districtwide special education programs are developed and implemented, school administrators have little input into the need, design, or location of the programs. The location of program placement appears to be based primarily on where classroom space is available.

A survey of central office and school-based staff shows that cooperation and collaboration between the central office and school-based staff could be improved, that communications related to financial and budget matters could be better, and that school-based staff feel they could be provided better information related to special education financial matters (**Exhibit 2-5**). Complete survey results are found in **Appendix A**.

**EXHIBIT 2-5  
COMPARISON OF SURVEY RESPONSES REGARDING FINANCIAL MANAGEMENT  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

FINANCIAL MANAGEMENT	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	38/26	43/6	20/19	15/11	37/4
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	34/25	33/26	20/22	13/14	24/6
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	37/30	33/12	18/19	13/12	28/4
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	4/42	26/27	16/26	8/15	19/8
5. The school division efficiently and effectively spends special education funds.	33/34	30/17	14/27	8/22	27/10
6. Most schools spend allotted special education funds efficiently and effectively.	33/12	41/7	27/14	13/11	35/2
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	21/8	14/5	21/7	5/4	23/2
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	17/34	10/18	9/13	4/6	19/2
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	33/21	21/8	12/15	10/8	21/0
10. The budget development process provides an effective format for addressing special education needs.	21/34	17/11	10/15	8/8	15/2

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.  
Source: Responses to MGT Survey, 2009.

A comparison of MDUSD survey responses to those of other districts (Brevard County School District (FL); Allegany County Public Schools, Garret County Public Schools, and Washington County Public Schools (MD); Washington Elementary School District (AZ); Gary Community School Corporation (IN); Stamford Public Schools (CT); Greenwich Public Schools (CT); Fairbanks North Star Borough School District and Lower Kuskokwim School District, (AK)) shows that staff in other districts are consistently more satisfied with the level of communication, collaboration, and cooperation related to special education financial management issues than are MDUSD staff (**Exhibit 2-6**).

**EXHIBIT 2-6  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>FINANCIAL MANAGEMENT</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	38/26	57/13
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	34/25	52/9
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	37/30	57/9
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	4/42	48/22
5. The school division efficiently and effectively spends special education funds.	33/34	48/9
6. Most schools spend allotted special education funds efficiently and effectively.	33/12	43/0
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	21/8	38/0
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	17/34	22/4
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	33/21	26/17
10. The budget development process provides an effective format for addressing special education needs.	21/34	35/13

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

Source: Responses to MGT Survey, 2009.



**Consideration for Issue 2-3:**

- Allow school administrators to provide input in programmatic changes, as well as make them aware of and accountable for special education expenditures in order to increase accountability of financial stewardship in the district.
- Hold school administrators accountable for fiscal management of school budgets including budget functions for special education services.

**Cost Implications for Issue 2-3:**

Participation by the school administrators can occur during the school day and would result in no additional costs to the district.

**2.2 Organizational Structure**

**Issue 2-4: Inefficient Organizational Structure.**

The Department of Pupil Services and Special Education provides oversight of special education and student services throughout the district. Based on comparisons with other districts, the department could be down-sized, resulting in cost savings to the district and greater school-based oversight and accountability for special education services.

**Exhibit 2-7** presents the current structure of the Department of Pupil Services and Special Education. The Assistant Superintendent has too many direct reports, including the following (not all are shown in the exhibit):

- One Administrator for Alternative Dispute Resolution and Nonpublic Schools position
- One Administrator for Resource Program and Related Services position (Designated Instruction and Services, Resource position)
- One Administrator for Special Day Centers and Transportation position
- Six Program Specialist positions
- Two Educational Consultant positions
- One Behaviorist Program Manager position
- One Occupational/Physical Therapy Manager position
- One Parent Liaison position
- Thirty-two (32) School Psychologist positions
- Ten and one-half (10.5) Clerical positions
- One Director of Student Services position

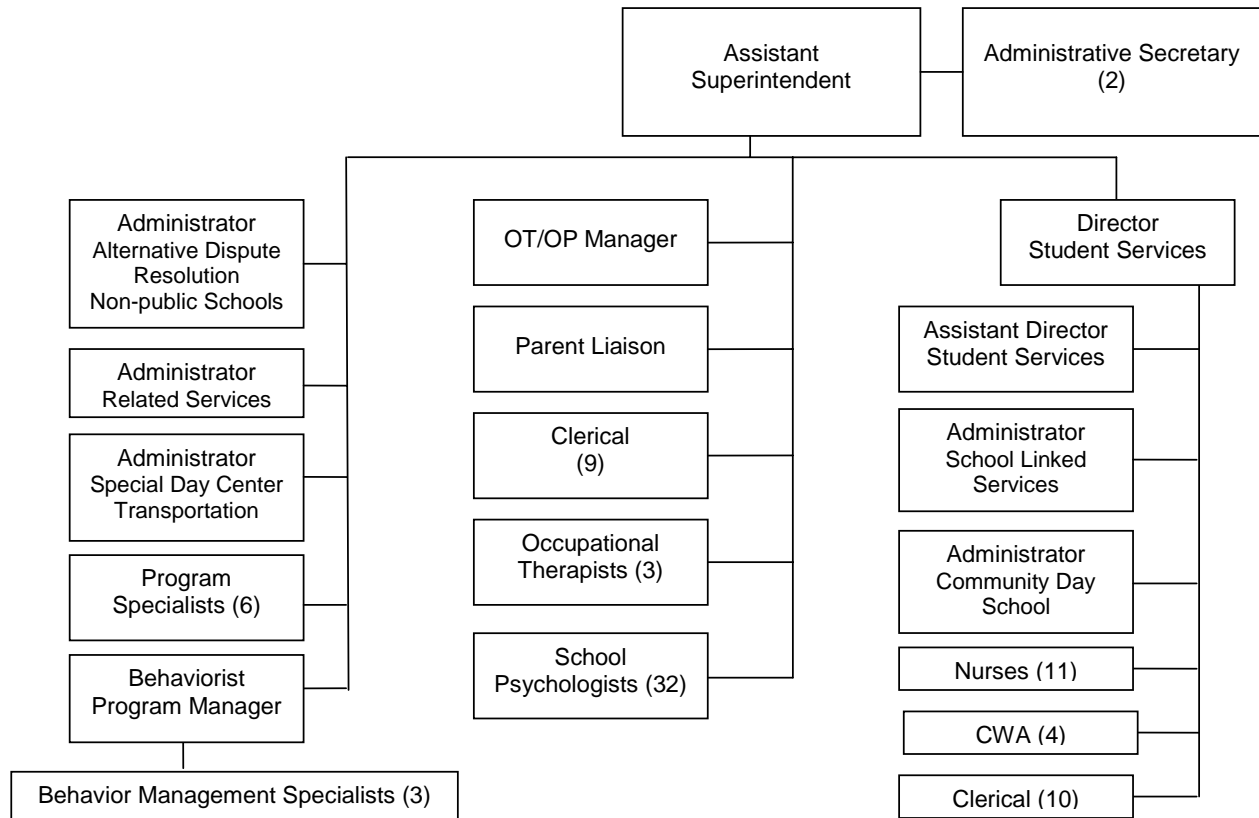
There are also three Occupational Therapist positions reporting to the Occupational/Physical Therapy Manager, and two Behavior Management Specialist (BCBA) positions reporting to the Behaviorist Program Manager in the Office of Special Education.

The following staff report to the Director of Student Services position:

- One Assistant Director of Student Services position
- One Administrator for School Linked Services position
- One Administrator for Community Day School position
- Thirty-nine (39) Nurse positions
- Ten (10) Clerical positions

The RFP requirements for this study do not include a review of the Office of Student Services personnel even though the functions of the Office of Student Services and the Office of Special Education are closely aligned. However, in reviewing the Office of Special Education, it is difficult to not include the Office of Student Services. Personnel positions and job functions that are located in the Office of Student Services, but directly relate to the delivery of special education services and compliance, are discussed as part of this study.

**EXHIBIT 2-7  
MT. DIABLO SCHOOL DISTRICT  
DEPARTMENT OF PUPIL SERVICES AND SPECIAL EDUCATION  
CURRENT ORGANIZATIONAL STRUCTURE**



Source: Mt. Diablo Unified School District, Department of Pupil Services and Special Education, 2009.

The current organizational structure is not efficient or effective in consistently communicating or overseeing the implementation of special education and related services throughout the district. This is evidenced by numerous reports of conflicting information, inconsistency in directives to schools and/or teachers, and lack of a procedural handbook.

The current organizational structure also lacks consistent processes and procedures for effective communication in the schools. While the special education administrators report that communication is provided through monthly memos, tip sheets, Q&As, and staff development trainings, parents interviewed consistently reported a lack of communication from the central office to schools, particularly with classroom teachers. MGT consultants further found that communications were not consistent among staff or within the schools. Interviewees reported numerous examples of inconsistent communication or lack of communication from the district office to schools and parents. This lack of communication hinders the instructional process, implementation of the IEPs, and compliance with state and federal regulations.

MDUSD could realize a cost savings if the Assistant Superintendent position is eliminated and a Director of Special Education position is created. Reclassification of this position should include job duties primarily related to special education compliance with state and federal regulations with a direct report to the Assistant Superintendent of Elementary Education in the Department of Curriculum and Instruction. The assignment of this proposed position to the Department of Curriculum and Instruction would more closely align special education and general education, could further support current collaborative efforts, and could create a greater emphasis on standards-based academic instruction, improved achievement of and access to general education curriculum for students with disabilities, as well as districtwide collaboration among general and special educators regarding the continuum of services for students with disabilities.

A comparison of special education district staffing is shown in **Exhibit 2-8**. MDUSD and Folsom Cordova are the only districts that maintain an assistant superintendent position with direct oversight of special education. MDUSD and Folsom Cordova are the only districts that do not have a director of special education position. The average number of assistant director/administrator positions is 1.88 with Elk Grove and San Ramon having no assistant director/administrator positions. The average number of program specialist positions is 8.25 with Elk Grove maintaining the highest number at 14 positions and Moreno Valley maintaining the lowest number at five positions.

**EXHIBIT 2-8  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
AND MORENO VALLEY UNIFIED SCHOOL DISTRICT  
COMPARISON OF DISTRICT SPECIAL EDUCATION ADMINISTRATIVE STAFF  
2009-10 SCHOOL YEAR**

<b>SCHOOL DISTRICT</b>	<b>SPECIAL EDUCATION ENROLLMENT</b>	<b>ASSISTANT SUPERINTENDENT</b>	<b>DIRECTOR</b>	<b>ASSISTANT DIRECTOR/ ADMINISTRATOR*</b>	<b>PROGRAM SPECIALIST</b>	<b>RATIO ADMINISTRATOR TO SPECIAL EDUCATION ENROLLMENT</b>
<b>Mt. Diablo Unified</b>	<b>4,004</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>6</b>	<b>1:400</b>
Clovis	2,830	0	1	2	13	1:177
Elk Grove	6,003	0	1	0	14	1:400
Folsom Cordova	2,638	1	0	3	6	1:264
Moreno Valley	3,960	0	1	1	5	1:565
San Ramon	2,901	0	2	0	6	1:363
Stockton	3,689	0	1	2	10	1:284
West Contra Costa	4,406	0	2	4	6	1:367
<b>DISTRICT AVERAGE</b>	<b>3,804</b>	<b>.25</b>	<b>1.00</b>	<b>1.88</b>	<b>8.25</b>	<b>1:353</b>

\*Some districts report additional district staff such as Psychology Chairperson, Itinerant Support Special Education Technicians, Administrative Technicians, and Transportation Specialists that are included in the exhibit.

Source: Created by MGT of America, Inc. with school district comparison data, 2009.

The Department of Pupil Services and Special Education maintains a multi-disciplinary team of program administrators and supervisors to review all cases being recommended for a move to a more restrictive environment. Team members represent the areas of speech/language pathology, psychology, behavioral services, occupational therapy, parent services, resource specialist services, and alternative dispute resolution. The team meets once per week for two hours to review cases and problem-solve any issues that may arise regarding services to students. Site administrators, psychologists and other staff may attend a meeting to clarify or express concerns.

With the support of the district multi-disciplinary review team approach, the Administrator for Alternative Dispute Resolution and Nonpublic Schools position could be considered for elimination. This would result in a cost savings to the district by transferring the primary functions of dispute resolution to legal counsel and nonpublic placements to a multi-disciplinary team. During onsite visits, focus group discussions, and school visits, MGT consultants found that some district and school staff, as well as parents, are concerned with the current process for dispute resolution, nonpublic school placements, and case review. It was further reported during the onsite visit that district staff may lack sufficient knowledge of curriculum, instructional delivery, or how schools can accommodate students without consideration of more restrictive setting.

The program specialists are responsible for providing direct support to schools and teachers. Job duties include: district trainings and meetings related to special education compliance; case management and consultation; technical assistance and support for the Mental Health Collaborative, extended school year, and transition programs; litigation; and review of cases involving conflict and California Department of Education review. MGT consultants consistently found through focus group discussions, interviews, school observations, and review of job duties, that the program specialists have limited time in the schools. MGT consultants did not find that program specialists maintained activity logs of their time in the schools. Based on focus group discussions and interviews while onsite, it appears the majority of their time is spent reacting to crisis situations, rather than in proactive support to the schools.

Greater emphasis should be placed on program specialists providing direct support to schools through school-based professional development (not to exceed union contract requirements) and technical assistance. To accomplish increased school-based support, an increase in program specialist positions would be needed. Improved communications, delivery of instruction and related services, as well as compliance with state and federal regulations could occur if emphasis was placed on consistent, regularly scheduled, school-based support from the Department of Pupil Services and Special Education.

The program specialists could serve as the Pupil Services and Special Education school liaison on all special education issues, regardless of service delivery model. This single contact approach could improve communication between the central office and the schools, as well as from the schools to parents.

If such a support model were adopted by the MDUSD, the program specialists could have monthly school-based staff development during the school day (i.e., planning periods) with

teachers and designated administration regarding special education compliance, communications with parents, and provision of special education services in the least restrictive environment. Such a model could decrease the number of parent complaints, mediation, and due process cases in the district. In addition, to school-based support, each program specialist could be assigned a specialty area for oversight, such as Special Day Center curriculum, modified assessment, and extended school year, or workability.

If a program specialist school liaison model is considered, the Administrator for Designated Instruction and Services, Resource and the Administrator for Special Day Centers and Transportation, and their clerical support positions could be eliminated. If these positions are considered for elimination, the district must ensure these job duties are assumed by other staff. For example:

- The oversight of the resource services in the schools could be assigned to the Director of Curriculum and Instruction. This reassignment would allow integration of teach/re-teach, remediation, learning strategies, accommodations, and academic success centers, within general education in the schools throughout the district. This could also better ensure access to the general education curriculum in the general education classroom, as well as in resource classrooms.
- The occupational/physical therapy manager position could assume responsibility for oversight of all therapies, including physical therapy and speech/language therapy. The district must ensure that the occupational/physical therapy manager position maintains the credential for supervision and evaluation of such staff. To further provide support, a lead therapist could be assigned in each of the areas to assist the manager position, as needed, and to oversee specific content-area issues that may arise.
- Contract management could continue to be assigned to the proposed Director of Special Education in the Office of Special Education
- Transportation coordination could and should be assigned to the Department of Transportation.

Finally, if these administrative positions in the Department of Pupil Services and Special Education are considered for elimination, the district must ensure that school principals and school leadership teams will assume the primary responsibility for the delivery of special education services in their buildings, respectively. Given direct, weekly support from a special education program specialist position; clear and consistent communication from the district administration; and up-to-date procedural guidelines, school administrators can successfully oversee special education services.

As the oversight of the Consent Decree draws to an end, the Consent Decree clerical position should be considered for elimination, as the position would no longer be needed. The elimination of this part-time position could lead to a slight cost savings.

When reviewing clerical support staff, MGT has not found another district with two administrative clerical positions with direct report to the assistant superintendent position. To more closely align with clerical staffing of other departments in MDUSD and special education departments in comparison districts, MDUSD should consider eliminating the administrative secretary position. The responsibilities of this position could be fulfilled by remaining clerical staff in the department, resulting in a cost savings to the district.

There are several office support positions in the Department of Pupil Services and Special Education that would better align with functions in other departments. The current organizational structure splinters the functions of these positions between departments, thus hindering communications with schools and accurate and timely information reporting to schools and parents. These office support positions include: the transportation secretary position, three student management software Help Desk positions, and the management information services position. MGT consultants received consistent and frequent reports during onsite interviews regarding the challenges with special education transportation, IEP compliance, and management of student information. A closer alignment of these positions with similar functions in the district can aid in improving these processes and district functions.

**Considerations for Issue 2-4:**

- Eliminate the following positions and offices in the Department of Pupil Services and Special Education:
  - Assistant Superintendent of Pupil Services and Special Education position that provides oversight for pupil services and special education and compliance with state and federal regulations.
  - Administrator for Special Education Resource Program and Related Services position that provides oversight for resource programs and related services.
  - Administrator for Special Education Special Day Centers and Transportation position that provides oversight for special day centers and transportation.
  - Administrator for Special Education Alternative Dispute Resolution and Nonpublic Schools position that provides oversight for alternative dispute and resolution and nonpublic school positions.
  - Special education office support for Resource Program and Related Services position that provides clerical support for resource programs and related services.
  - Special education office support for Special Day Centers and Transportation position that provides clerical support for special day centers and transportation.

- Special education Consent Decree Secretary position that provides clerical support for the consent decree.
- Special education Administrative Secretary position that provides clerical support to the Assistant Superintendent of Pupil Services and Special Education as well as the Department of Pupil Services and Special Education.

To restructure the job duties and responsibilities of the positions to be considered for elimination, the district could:

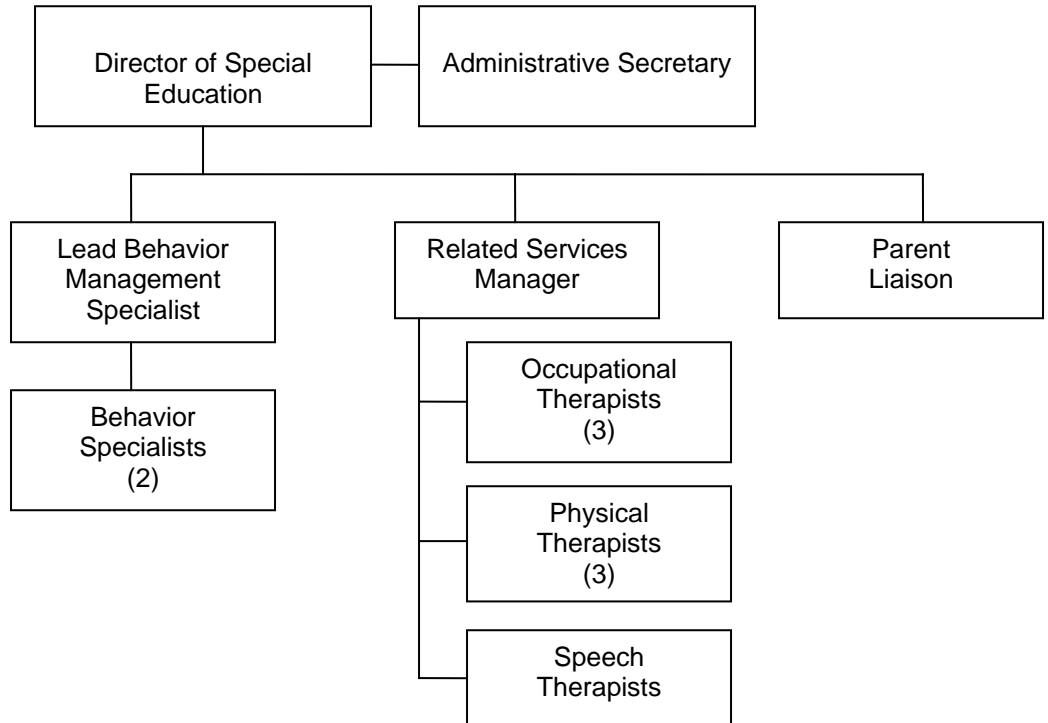
- Create a Director of Special Education Services position and assign oversight of the district's special education compliance with state and federal regulations.
- Restructure the existing Department of Pupil Services and Special Education into two offices: Office of Pupil Services and Office of Special Education. Assign the offices to the Department of Curriculum and Instruction.
- Restructure the multidisciplinary team review process to include representation including the proposed Director of Special Education, related services manager, lead behavior management specialist, and an existing representative the Office of Student Services. The district should also ensure that there is representation from general education and the student's home school.
- Create three program specialist positions and assign all program specialist positions (nine) as generalists to feeder pattern schools with weekly school visitation schedules. Assign direct report of current and proposed program specialist positions to the Director of Curriculum and Instruction or his/her designee, but require principal input in the selection and evaluation of all program specialist positions. (Currently 4.46 program specialist positions are funded by stimulus funding. Funding for these positions would need to be reviewed at such time that the stimulus funding is no longer available.)
- Assign each program specialist position a minimum of five schools for weekly, regularly scheduled onsite technical assistance, support, and embedded staff development, with one program specialist assigned to all alternative programs. The program specialist assigned to the school should address all special education issues in the building and serve as the point of contact for the school administration. In matters that go beyond the scope of the program specialist expertise, the program specialist should seek outside support from the Department of Curriculum and Instruction or legal counsel. Again, the primary role of the program specialist should be to provide support to teachers in matters of special education compliance, including but not limited to IEP development, implementation, and timelines.
- Establish monthly meeting agendas for school-based professional development for delivery by the program specialists in their assigned schools. This process should be



- consistent among all program specialists and within all of the schools to improve district-to-school communications, as well as school-to-parent communications.
- Update program specialist position job specifications to reflect the primary responsibilities of compliance, technical assistance, and embedded staff development for administrators, special education teachers, and school-based teams.
  - Reclassify the current occupational therapy/physical therapy manager position to related services manager position.
  - Create three direct reports to the proposed Director of Special Education position: one related services manager position; one lead behavior management specialist position; and the parent liaison position.
  - Assign school psychologists to the Office of Student Services.
  - Assign the transportation secretary position to the Department of Transportation with continued job duties on special education transportation.
  - Assign the management information services position to the Director of Technology and Information Services with continued job duties regarding student management software and special education reporting.
  - Assign the student management software Help Desk positions to the Director of Technology and Information Services. Once the student management software system is appropriately implemented and schools are in a cycle of appropriate compliance with timelines, the district might reassess the need for three Help Desk positions.
  - Review the organizational structure of the Office of Student Services and realign job functions consistent with the Office of Special Education and proposed relocation to the Department of Curriculum and Instruction.

The proposed organizational structure is shown in **Exhibit 2-9**. These proposed changes will streamline the administrative structure of the central office, create greater accountability, technical assistance and support in the schools, and better align special education and general education at the central office and the schools. The Office of Student Services is not included in this proposed organizational structure and should be reviewed for alignment with the proposed organizational considerations.

**EXHIBIT 2-9  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
PROPOSED DEPARTMENT OF SPECIAL EDUCATION ORGANIZATIONAL STRUCTURE**



Source: Created by MGT of America, Inc., 2010.

**Cost Implications for Issue 2-4:**

If the district chooses to eliminate the suggested positions, the district could realize an estimated annual net savings of \$556,727 (salary and benefits) or a \$2,783,635 savings of over five years.

CONSIDERATION	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Eliminate Assistant Superintendent for Pupil Services and Special Education Position	\$181,188	\$181,188	\$181,188	\$181,188	\$181,188
Eliminate Administrator for Designated Instruction and Services, Resource Position	\$132,931	\$132,931	\$132,931	\$132,931	\$132,931
Eliminate Administrator for Special Day Centers and Transportation Position	\$121,781	\$121,781	\$121,781	\$121,781	\$121,781
Eliminate Administrator for Alternative Dispute Resolution and Nonpublic Schools Position	\$129,163	\$129,163	\$129,163	\$129,163	\$129,163

Eliminate Office Support Designated Instruction and Services, Resource Position	\$72,277	\$72,277	\$72,277	\$72,277	\$72,277
Eliminate Office Support Special Day Centers and Transportation Position	\$73,792	\$73,792	\$73,792	\$73,792	\$73,792
Eliminate Consent Decree Secretary Position	\$66,958	\$66,958	\$66,958	\$66,958	\$66,958
Eliminate Administrative Secretary Position	\$78,302	\$78,302	\$78,302	\$78,302	\$78,302
Create Director of Special Education Position	(\$132,927)	(\$132,927)	(\$132,927)	(\$132,927)	(\$132,927)
Create Three Program Specialists Positions	(\$397,471)	(\$397,471)	(\$397,471)	(\$397,471)	(\$397,471)
<b>Total Cost Savings</b>	\$326,052	\$326,052	\$326,052	\$326,052	\$326,052

**Issue 2-5: Resource Support Services.**

The Department of Pupil Services and Special Education works collaboratively with the Department of Curriculum and Instruction to provide academic resource support to students who are struggling with the general education curriculum. The model has proven to be very successful in alleviating academic deficits for students with and without disabilities. The district and school-based administration attribute the academic success centers in the schools and the Resource Teacher positions assigned to those centers as the primary reason for the decrease in the number of students identified as having a disability over the past several years. (Refer to Chapter 4 for discussion on identification of students with disabilities.)

MGT supports this model as a viable intervention prior to referral for evaluation for special education services. Federal regulations allow districts to use IDEA funds for such early intervening services for students without disabilities. Data provided by the Department indicate a total of 87.5 resource support teacher positions with an average caseload of 28 students with and without disabilities. While the positions are funded with special education allocation, the resource support teacher positions assigned to the schools provide academic support to approximately 1,047 students (calculated using teacher caseloads for June 2009). This equates to 37 positions that are funded with special education funds that are being utilized for early intervening services for students without disabilities.

Given the budget deficit facing the district, the administration must carefully review the resource support teacher positions in the district and associated costs. The district may consider reducing the number of resource teacher positions or cost-sharing the positions between general education and special education funds.

**Consideration for Issue 2-5:**

- Continue to implement the Academic Resource Support model as an early intervening service or utilize other methods to alleviate academic deficits prior to referral to special education.
- Cost-share the positions with general education to reduce special education costs or eliminate positions that are not assigned to students with disabilities. Elimination of these positions would require the district to review the delivery of early intervening services to students who demonstrate academic and behavioral deficits.
- Assign the resource support teacher positions to school staffing plans rather than the special education budget.

**Cost Implication for Issue 2-5:**

Cost implications are based on the district’s determination of maintaining, cost-sharing, or eliminating the 37 resource teacher positions that are currently funded with special education or ARRA funds that are being utilized for early intervening services for students without disabilities. If the 37 resource teacher positions were eliminated, the district would realize a cost savings of \$2,654,602 annually or \$13,273,010 over a five-year period. The current academic resource support model will be compromised in the schools if these positions are eliminated.

CONSIDERATION	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Eliminate 37 Resource Teacher Positions	\$2,654,602	\$2,654,602	\$2,654,602	\$2,654,602	\$2,654,602

**Issue 2-6: School-based School Psychology Services.**

There are a total of 32.2 FTE psychologists (36 individuals) hired by the district with 16.5 FTE approved through the general fund and 15.7 FTE paid through other funding serving as counselors. There are also 12 interns serving the district for a total of 32 days weekly (average of 6.4 interns daily). Thus, there are 36 individuals accounting for 32.2 FTE, but only 16.5 FTE assigned to assessment duties.

**Exhibit 2-10** shows a comparison of the number of psychologist positions in MDUSD and peer school districts. The psychologist positions are funded from various sources. In MDUSD, for example, only 16.5 positions are funded by general revenue. The remaining 22.5 psychologist positions are funded by categorical or special funds and provide services to select student subgroups (i.e., the mental health collaborative). These data indicate that the number of MDUSD psychologist positions exceed all peer districts. MDUSD exceeds the peer average number of psychologists by 12 positions and the peer average ratio of students with disabilities to psychologists by 12 students.

**EXHIBIT 2-10  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
COMPARISON OF (SCHOOL-BASED) SCHOOL PSYCHOLOGIST POSITIONS\* WITH PEER  
SCHOOL DISTRICTS, 2009-10 SCHOOL YEAR**

<b>DISTRICT</b>	<b>ENROLLMENT OF STUDENTS WITH DISABILITIES</b>	<b>NUMBER OF PSYCHOLOGIST POSITIONS</b>	<b>RATIO STUDENTS WITH DISABILITIES TO PSYCHOLOGIST</b>
<b>Mount Diablo Unified, CA</b>	<b>4,897</b>	<b>39</b>	<b>126</b>
Clovis	2,840	27	105
Folsom	2,638	18	147
Moreno Valley	3,960	23	172
San Ramon	2,901	25	116
West Contra Costa	4,406	29	152
<b>DISTRICT AVERAGE</b>	<b>3,607</b>	<b>27</b>	<b>136</b>

Source: Created by MGT of America, Inc. using data provided by MDUSD and Council of Great City Schools, 2009.

\*The MDUSD data does not include school psychologists positions assigned to the Mental Health Collaborative or other special programs.

School psychologists in MDUSD are expected to play a very active role in their assigned school sites which includes intervention, pre-intervention, assessment, and other duties. This includes some tasks that would fall under a counselor position, including counseling, training, and guidance services.

Based on the review of data and onsite interviews, focus group discussions, and school observations, there is a lack of consistency in the actual duties performed by school psychologists. Some believe the district is short staffed. Referrals and assessments are behind, yet school psychologists are involved in other “qualitative” tasks, such as counseling in the Mental Health Collaborative and assessment and consultation of Section 504 referrals, along with manifest determination conferences both within Section 504 and special education. Data show there is an inequity in what school psychologist positions do and how many assessments are performed.

In addition to the school psychologist positions, there are 12 school psychologist intern positions serving the district for a total of 32 days weekly with an average of 6.4 intern positions daily. The schools pay for the interns as a means to have more support with assessment, consultation, and counseling for students on their specific campuses.

The school psychologists are not assigned to schools by feeder pattern. Assignment by feeder pattern could allow the School Psychologists to work more closely with schools when students transition from one school to another. Assignment by feeder pattern would also allow the School Psychologists to follow a student at all levels as they progress through schools.

**Considerations for Issue 2-6:**

- Determine priorities and commitment to school-based psychological services to meet student support and compliance requirements (i.e., assessments for identification and location of students in need of special education) and support to schools (classroom consultation and student interventions).
- Develop a school-based psychological services model that maximizes the school psychologist and intern position support to the schools. This model should reflect a student services team model where school psychologists are assigned schools within a feeder pattern and work closely with school-based teams in early intervention and psychological services supports and assessments to students.
- Redefine job descriptions and assign school psychologists to feeder patterns based on district priorities to meet compliance requirements.

**Cost Implications for Issue 2-6:**

MGT cannot estimate cost implications at this time. District priorities for school psychologist position job duties need to be established prior to determining the associated cost implications.

***3.0: SERVICE DELIVERY  
OPTIONS AND CONTINUUM  
OF SERVICE***

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## **CHAPTER 3: SERVICE DELIVERY OPTIONS AND CONTINUUM OF SERVICES**

This chapter reviews the delivery of instructional services to Mt. Diablo Unified School District (MDUSD) students with disabilities. The district provides a full continuum of services from least restrictive to most restrictive setting. Sections in this chapter include:

- 3.1 General Education Consultation
- 3.2 Academic Resource Support
- 3.3 Full-time Instruction
- 3.4 Nonpublic Placements
- 3.5 Related Services

### **3.1 General Education Consultation**

#### **Issue 3.1: Collaborative Consultation.**

MDUSD provides a collaborative consultation model of instructional delivery for students with disabilities in the general education setting. While the model is working well in some schools, it is underutilized in other schools. In general education consultation, typically a special education and a general education teacher collaboratively teach in the same classroom. In some situations, the general education teacher works collaboratively with a special education assistant to meet the needs of students with disabilities or to provide accommodations to students with Section 504 plans in the general education classroom.

Collaborative classroom observations by MGT consultants indicate that the majority of the MDUSD collaborative teachers used a teach/assist model where one teacher delivers the instruction (typically the general education teacher) and the other teacher (typically the special education teacher) assists students throughout the classroom. More specifically, of the 100 classrooms visited, MGT consultants documented that 84 percent of the classrooms used the teach/assist collaborative model. In 12 percent of the collaborative classes, MGT observed the use of various classroom centers or stations for instruction with both teachers providing assistance to the students. The use of instructional technology such as SmartBoards, AlphaSmarts, and computers was observed by MGT consultants in only seven percent of the classrooms visited.

**Exhibits 3-1 and 3-2** show schools that demonstrate improved academic achievement of students with disabilities with a one-year change in achievement, a five-year change in achievement, and an average change in achievement across five years, as measured by the California State Test. These schools effectively implement a collaborative model of language arts and mathematics instruction and effective teaming to meet the needs of students with diverse learning needs, such as those with disabilities under IDEA or Section 504. As shown, the achievement of students with disabilities at these recognized schools exceed state and district percentages for improvement on the California State Test.



The schools that demonstrated the greatest academic gains for students with disabilities utilize instructional strategies and school-based collaborative efforts. MDUSD has provided an ongoing Leadership Institute for seven years. The five areas of focus for each institute are: literacy, positive behavior, collaboration, parent involvement, and system sustainability. There have also been many highly recognized presenters in each of these areas. The Institute has been the kick-off for many district initiatives which have included the work of general and special education teachers together. Many schools have also participated in Professional Learning Communities. Finally, three schools are part of the Scale Up Project and they have continuous staff development in the areas of collaboration, common assessments, and best instructional practices.

**EXHIBIT 3-1  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
EXAMPLE OF SCHOOLS THAT EFFECTIVELY DEMONSTRATE COLLABORATIVE INSTRUCTION  
FOR STUDENTS WITH DISABILITIES  
ENGLISH LANGUAGE ARTS  
2008-09 SCHOOL YEAR**

SCHOOL	PERCENTAGE CHANGE IN STUDENT ACHIEVEMENT ON CALIFORNIA STATE TEST – ENGLISH LANGUAGE ARTS		
	ONE YEAR CHANGE	FIVE YEAR CHANGE	FIVE YEAR AVERAGE
Diablo View Middle*	21.3	-2.7	-0.7
Glenbrook Middle	17.5	22.0	5.5
Oak Grove Middle	16.6	13.0	4.3
Pine Hollow Middle	15.1	17.0	4.3
Pleasant Hill Middle	10.3	12.8	3.2
Riverview Middle	46.4	51.0	12.7
Sequoia Middle	18.8	27.7	6.9
Valley View Middle	18.8	27.7	6.9
College Park High	29.5	21.2	5.3
Concord High	17.1	25.6	6.4
<b>DISTRICT</b>	<b>6.6</b>	<b>13.7</b>	<b>3.4</b>
<b>STATE</b>	<b>14.6</b>	<b>15.5</b>	<b>3.9</b>

Source: Created by MGT of America using data from the 2009 Estimated Adequate Yearly Progress (AYP) Report, 2009.

\*Diablo View Middle is recognized due to 21.3 percent increase from 2008 to 2009.

**EXHIBIT 3-2  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
EXAMPLE OF SCHOOLS THAT EFFECTIVELY DEMONSTRATE COLLABORATIVE INSTRUCTION  
FOR STUDENTS WITH DISABILITIES  
MATHEMATICS  
2008-09 SCHOOL YEAR**

SCHOOL	PERCENTAGE CHANGE IN STUDENT ACHIEVEMENT ON CALIFORNIA STATE TEST – MATHEMATICS		
	ONE YEAR CHANGE	FIVE YEAR CHANGE	FIVE YEAR AVERAGE
Oak Grove Middle	13.4	9.8	2.5
Pine Hollow Middle	8.4	10.8	2.7
Riverview Middle	18.1	23.3	5.8
Sequoia Middle	8.7	14.4	3.6
Valley View Middle	13.5	10.8	2.7
College Park High	16.0	25.7	6.4
Mt. Diablo High	3.2	7.9	2.0
Northgate High	25.0	16.3	4.1
<b>DISTRICT</b>	<b>11.7</b>	<b>11.7</b>	<b>2.9</b>
<b>STATE</b>	<b>4.8</b>	<b>12.5</b>	<b>3.1</b>

Source: Created by MGT of America using data from the 2009 Estimated Adequate Yearly Progress (AYP) Report, 2009.

\*Diablo View Middle is recognized due to 21.3 percent increase from 2008 to 2009.

**Exhibits 3-3** and **3-4** show schools that seem to lack an effective collaborative approach for the language arts and mathematics instruction of students with disabilities. These schools have shown little to no academic growth for students with disabilities. (It should be noted that the AYP results for students with Section 504 plans are included in the general education student assessment data and are not shown as a subgroup cohort as are students with disabilities.) While many teachers have participated in staff development in the area of collaboration, these data suggest that only some have implemented what they have learned.

**EXHIBIT 3-3  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
EXAMPLE OF SCHOOLS THAT DO NOT DEMONSTRATE COLLABORATIVE INSTRUCTION  
FOR STUDENTS WITH DISABILITIES  
LANGUAGE ARTS  
2008-09 SCHOOL YEAR**

SCHOOL	PERCENTAGE CHANGE IN STUDENT ACHIEVEMENT ON CALIFORNIA STATE TEST – ENGLISH LANGUAGE ARTS		
	ONE YEAR CHANGE	FIVE YEAR CHANGE	AVERAGE ACROSS FIVE YEARS
El Dorado Middle	6.8	6.2	1.5
Foothill Middle	3.3	-0.2	-0.1
Clayton Valley High	-1.2	2.2	0.6
Mt. Diablo High	-1.1	-0.7	-0.2
Ygnacio Valley High	-16.6	4.9	1.2
<b>DISTRICT</b>	<b>6.6</b>	<b>13.7</b>	<b>3.4</b>
<b>STATE</b>	<b>14.6</b>	<b>15.5</b>	<b>3.9</b>

Source: Created by MGT of America using data from the 2009 Estimated Adequate Yearly Progress (AYP) Report, 2009.

**EXHIBIT 3-4  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
EXAMPLE OF SCHOOLS THAT DO NOT DEMONSTRATE COLLABORATIVE INSTRUCTION  
FOR STUDENTS WITH DISABILITIES  
MATHEMATICS  
2008-09 SCHOOL YEAR**

SCHOOL	PERCENTAGE CHANGE IN STUDENT ACHIEVEMENT ON CALIFORNIA STATE TEST – MATHEMATICS		
	ONE YEAR CHANGE	FIVE YEAR CHANGE	AVERAGE ACROSS FIVE YEARS
Foothill Middle	-5.9	-11.9	-3.0
Glenbrook Middle	-0.8	3.5	0.9
Pleasant Hill Middle	5.0	5.0	1.3
<b>DISTRICT</b>	<b>11.7</b>	<b>11.7</b>	<b>2.9</b>
<b>STATE</b>	<b>4.8</b>	<b>12.5</b>	<b>3.1</b>

Source: Created by MGT of America using data from the 2009 Estimated Adequate Yearly Progress (AYP) Report, 2009.

Based on the MGT best practice database and current research<sup>1</sup>, characteristics that tend to influence the effectiveness of collaborative instruction include:

- Instructional leadership of the building administration.
- Subject content knowledge of teachers and the special education assistant.
- Adherence to the curriculum pacing guides and standards-based instruction.
- Student access to the general education curriculum.
- Progress monitoring of student progress through benchmark assessments.
- Instructional planning based on student performance data.
- Clearly defined roles and responsibilities of collaborative teachers.
- Scheduling for collaborative planning among grade level and content area teams and special education staff.
- Opportunities for teach-reteach, extended learning, and remediation of deficits skills.
- Adherence to instructional accommodations for students as specified on IEPs and Section 504 plans.

The schools that effectively demonstrate academic growth of students with disabilities demonstrate these characteristics. Schools that do not effectively demonstrate academic growth for students with disabilities need to place greater emphasis on collaborative, standards-based instruction for students with disabilities.

**Commendation 3-A:**

Many middle and high schools throughout MDUSD effectively demonstrate instructional leadership and collaborative instructional practices that successfully support students with disabilities in the general education setting.

**Commendation 3-B:**

MDUSD is commended for utilizing the Leadership Institute, Professional Learning Communities and the Scale Up Project as methods for continuous staff development in the

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<sup>1</sup> Seven Principles of Highly Effective Learning (<http://www.sofweb.vic.edu.au/blueprint/fs5/default.asp>); Ten Traits of Highly Effective Schools (McEwan, 2009); Professional Learning Communities (DeFour, 2004); and Classroom Instruction That Works (Marzano, 2004).

areas of collaboration, common assessments, and best instructional practices in the schools.

**Considerations for Issue 3.1:**

- Develop and share a database of best practices among the schools regarding standards-based instruction, course scheduling, collaboration, and the delivery of special education services in the general education.
- Require schools that do not show academic growth of students with disabilities or Section 504 plans to work directly with the Department of Curriculum and Instruction to improve standards-based, grade level instruction in the general education classroom.
- Hold building administrators accountable for the improved instructional performance of students with disabilities and 504 plans.

**Cost Implications for Issue 3.1:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher.

The schools should identify targeted strategies for improving the academic growth and use allocated staff development funds, if needed, for staff development after school hours. The costs of staff development after school hours cannot not be calculated at this time and would be based on the specific targeted strategies at each school.

**3.2 Academic Resource Support**

**Issue 3.2: Academic Success Centers.**

Academic Success Centers are designed as work labs in middle and high schools to help students develop their academic skills. Through mini-lessons, group discussions, class routines, and the opportunities that arise through academic work, students consider and practice the following skills:

- Use of an organization/planning tool.
- Workable organization of notebooks and binders.
- Planning long-term assignments.

- Listening skills.
- Note-taking skills.
- Memory techniques.
- Social skills.
- Understanding of individual learning styles, test taking and research skills.

In most schools, the aims of the Academic Success Centers are:

- Review and reinforce concepts taught in all academic classes.
- Develop and utilize a variety of study and organizational skills, including long-term planning.
- Receive support in managing the core curriculum and state standards.
- Begin to develop self-advocacy skills and independence.

During onsite visits to schools, MGT consultants found that schools attribute much of the improved academic achievement to the Academic Success Center model. MGT consultants consistently received positive comments and feedback from district and school administrators regarding this intervention model. The model is also recognized as the district's primary effort to provide interventions to students that alleviate academic deficits, thus decreasing the need for evaluation or potential identification of students with disabilities.

**Commendation 3-C:**

The district's Academic Success Center model has proven highly effective in providing academic support to students with and without disabilities in the general education curriculum. This success is evidenced by the district's student achievement data.

**Issue 3.3: Building Effective Schools Together (BEST) Collaborative Schools.**

BEST is a standardized curriculum for school discipline teams, aimed at improving discipline in schools and classrooms. BEST trainings create the opportunity for extended staff development and coaching in positive school discipline and behavioral supports.

BEST addresses schoolwide, non-classroom, classroom, and individual student interventions and the program includes content related to school-wide discipline, classroom management, and individual student supports. BEST training supports representative school team members to develop and implement:

- School rules.
- Rule teaching.
- Positive reinforcement systems.
- Data-based decision making at the school level.

- Effective classroom management.
- Curriculum adaptation.
- Functional behavioral assessment.
- Positive behavioral interventions and supports.
- Assessing school safety.
- Active supervision of common areas.
- Identifying antisocial youth.
- Supporting at-risk students.
- Building behavioral support plans.
- Mentoring.
- Staff management.
- Responding to escalating behavior.

Thirty-six schools in the district have committed to BEST as a method to improve school climate and discipline, and to support student academic achievement and positive behavior. The Department of Pupil Services and Special Education supports all of the schools in creating a positive school climate.

During onsite visits, MGT consultants found the schools to be very orderly. As a whole, students were well-disciplined. Classroom observations documented students who, for the most part, were on-task and actively engaged in learning. Teachers maintained classroom rules and behavioral expectations that were posted in the classrooms. Students were aware of and demonstrated expected behaviors during transitions and in common areas.

MGT consultants also observed on numerous occasions the administrative monitoring and assigned duty stations during transitions between classes and within the common areas. Generally, teachers and administrators modeled expected behaviors and maintained high expectations for their students.

**Commendation 3-D:**

Implementation of the BEST program is evident in the schools. MGT observed the school climates to be very positive and supportive of student learning and academic success.

**3.3 Full-time Instruction**

The Special Day Class Office in the Department of Pupil Services and Special Education oversees and coordinates services for students who require full-time instruction in a self-contained setting. Students are assigned to the least restrictive placement (home school or school as close as possible to the home school) that offers the instructional strategies determined by the IEPs. The delivery models serve a range of disabilities. The placements are based on the students' assessed needs identified in their IEPs as the delivery model that can provide the services in accordance to the IDEA requirement of free appropriate public education (FAPE).

The delivery models are as follows:

- **Learning Handicapped (LH) Mild/Moderate Class.** This delivery model serves students with mild to moderate disabilities who are participating in the district standards curriculum leading to a high school diploma. The students assigned to these classes are composed of students with the disability code of specific learning disabled, speech or language impaired, mildly cognitive impaired, or autism, and may include other disabilities that require this model. The class size as negotiated with the teachers' union is a maximum of 15 students in grades kindergarten through twelve. The preschool classes have a maximum class size of nine students. The established staffing for the class is one teacher and one instructional assistant.
- **Moderate Class (MOD).** This delivery model serves students with moderate disabilities who are participating in an alternative curriculum leading to a certificate of completion. The students assigned to this class are mildly cognitive impaired and have the disability code of mental retardation. The moderate classes have a maximum class size of 11 students. The established staffing for the class is one teacher and two instructional assistants.
- **Severe Class (SH).** This delivery model serves students with moderate to severe disabilities who are participating in an alternative curriculum leading to a certificate of completion. The students assigned to these classes are composed of students with the disability code of mental retardation, other health impaired, or speech or language impairment, and may include other disabilities that require this delivery model. The class size negotiated with the teachers' union is nine students in grades kindergarten through fifth, and 11 students in grades six through age 22. The established staffing for the class is one teacher and two instructional assistants.
- **Autistic Specific Class (AU).** This delivery model serves students with autism who require intensive support in socialization, communication and/or behavior. The classes are categorized in three groups: Benchmark, Strategic, and Intensive. The established staffing for the class is one teacher and two students per an adult.
- **Mental Health Collaborative.** The Mental Health Collaborative provides students with a team approach that integrates special education and mental health services in the least restrictive setting. The Mental Health Collaborative classrooms provide an academic program drawn from state and district standards, using modified instructional materials and settings, as needed, to meeting individual student needs. Modifications and accommodations are implemented in accordance with each student's IEP.
- **Counseling Enriched Class (CEP).** This delivery model serves students in second through sixth grades who are referred by the Positive Behavior Team or Triage process. The program provides an individualized, multi-faceted approach using



the district standards curriculum for at-risk and special education students with integration in a traditional school program. The program provides psychological and behavioral support, as well as intensive support services by experienced staff. The program is also considered one of the Mental Health Collaborative programs. The established staffing is one teacher and two assistants.

- **Augmentative Alternative Communication Class (AAC).** This delivery model serves students who require strategies that augment or compensate for their inability to communicate effectively. AAC systems include picture/alphabet boards, word or sentence boards, universal gestures, facial and body language, vocal word approximations, and electronic devices capable of voice output. Students assigned to this class have multiple disabilities, including orthopedic handicaps, established medical disability, speech and language impairment, visual impairment, autism, or mental retardation. The established staffing is one teacher and two students per adult.
- **Orthopedic Impairment (OI).** This delivery model serves students with significant orthopedic impairments. The students use wheelchairs, braces, and various adaptive equipment. The class size maximum is nine students. The established staffing is one teacher and two students per adult.
- **Small Group Instruction (SGI).** This delivery model provides instruction for preschool students with language and development delays who don't require a full day special education program. Students attend a half-day program for three to five days a week. Many of these students also attend regular preschool programs and attend regular kindergarten programs upon completion of their preschool special education instruction. The established staffing is one teacher and one instructional assistant.
- **Aurally handicapped (AH).** This delivery model serves students who are deaf or hard of hearing. The established staffing is one teacher and one assistant to an unspecified number of students.

**Issue 3-4: Service Delivery Options for Students with Autism within Natural School Feeder Patterns.**

Prior to the 2005-06 school year, students with autism were served within educational programs for students with moderate to severe disabilities. Autism-specific classrooms were developed in 2005 in response to parent concerns and the district's understanding of the unique needs of this population. This model was further modified into a tiered system during the 2007-08 school year. These autism-specific classrooms provide four levels of support (intensive, strategic, benchmark, and magnet benchmark). These classes are primarily located at elementary schools. Two classrooms have been opened at the middle school level.

Review of placement of autism specific classrooms in MSUSD revealed that tiered program options (intensive, strategic, benchmark, and magnet benchmark) and grade levels are located throughout the district). Schools serving these students may not have classes for all grades or levels within the tier.

As a result, elementary-age students with autism spectrum disorders are often required to change schools when their grade or support needs (e.g., move from intensive to strategic) change. Interviews with teachers, as well as knowledge of best practices for students with autism, indicate that this type of change can be detrimental in a number of ways, including:

- Current research suggests that change is difficult for students with autism spectrum disorders and they benefit from routine, consistency, and familiarity. The need to change schools is contrary to best practice as it interferes with the implementation of these strategies.
- Students with autism benefit socially and academically by being included with typically developing peers who have some level of understanding of their needs. This is difficult to achieve when students with autism spectrum disorders are moved frequently.
- Families lose the sense of being part of a school community when they cannot expect that their child will remain at a particular school.
- Administrators, other teachers, and peers do not have the opportunity to get to know the students with autism spectrum disorders as they move through the grades. Interviews with teachers indicate that this has had a negative impact on the development of inclusive opportunities.
- IDEA requires that all students receive education within the least restrictive environment (LRE). It mandates that school districts make available a range of placement options so that individual student needs can be met within the LRE. While free appropriate public education (FAPE) is the primary consideration, students with autism should receive special education services in the least restrictive environment, to the greatest extent possible.

The district provides limited program options for middle and high school students with autism spectrum disorders. Review of records and interviews with staff indicate that these students are moved to classrooms for students with moderate to severe disabilities, are served out of district, or are served by a nonpublic school. The MSUSD recognizes this issue and has opened a strategic and a magnet benchmark program at the middle school level with the intent to expand into high school next year.

During interviews, teachers indicated that their ability to provide inclusion experiences varied significantly from school to school. This variation was perceived to be the result of a variety of factors including:

- Inconsistency among schools with regard to administrative support and leadership related to inclusion of students with autism.
- Decreased willingness of staff to include students with autism when support from administration was not clearly communicated.
- Difficulties encountered in obtaining answers from district staff to questions related to teacher roles and credentialing that have been posed by school staff as potential obstacles to inclusion of students with autism.

**Considerations for Issue 3-4:**

- Create a continuum of services, including all grade levels and a full continuum of educational supports at specific school sites and within natural feeder patterns for students with autism.
- Allow students with autism access to a variety of instructional options, including autism-specific class, special day class, resource room, learning community, or general education classroom based upon their current needs.
- Develop a written policy statement that details legal issues and district expectations regarding continuum of special education services within the least restrictive environment and within naturally occurring feeder patterns. (Refer to Chapter 4 for further review of policies and procedures.)
- Use program specialists to provide a link between school and district in order to answer questions, monitor compliance, and offer assistance with implementation as needed.

**Cost Implications for Issue 3-4:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher. MGT cannot calculate costs for substitutes or teacher stipends at this time, as the costs are based on the number of hours and the method for delivery of the professional development.

**Issue 3-5: School-based Multidisciplinary Teams to Support Service Delivery for Students with Autism.**

The use of a collaborative or multidisciplinary support team is considered to be a best practice in the education of students with autism spectrum disorders. Effective multidisciplinary teams include members with varied backgrounds and expertise who work

together to develop educational programs for individual students. Team members can include teachers, therapists, behavioral specialists, psychologists, parents, and, when appropriate, the individual student. Team members support each other in cross-training and program development. Collaboration results in a better understanding of the student including what he can or cannot understand, appropriate aids and supports to increase learning opportunities, effective strategies, and relevant goals and activities. In addition, it increases consistent opportunities for learning across environments and generalization of skills.

While the MDUSD has established multidisciplinary teams, these team members do not consistently provide support for the autism specific programs. During interview sessions, teachers and therapists working directly with students with autism reported that, although they receive consistent support from the two MDUSD behavioral specialists, some school-based professional staff have told them that they do not work with students with autism. They reported that this has resulted in an over-reliance on two behavioral specialists for support and that they do not know who to go to with questions or concerns when the behavioral specialists are not available. As a result, support from staff with knowledge of autism is inconsistent across school sites.

**Appendix B** provides a comprehensive bibliography of best practices and research regarding service provision for students with autism.

**Considerations for Issue 3-5:**

- Increase the number and use of multidisciplinary autism support teams, including experienced teachers, therapists, school psychologists, and behavioral specialists at schools serving students with autism.
- Ensure that all team members have knowledge of best practices for educating children with autism as well as an interest in working with this population.
- Implement a procedure for accessing support and training from members of the multidisciplinary team when needed.

**Cost Implications for Issue 3-5:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher. MGT cannot calculate costs for substitutes or teacher stipends at this time, as the costs are based on the number of hours and the method for delivery of the professional development.



**Issue 3-6: Staff Development Related to Educational Service Delivery for Students with Autism and Moderate/Severe Disabilities.**

MDUSD has provided ongoing training opportunities in the area of autism. These have included formal trainings as well as opportunities to regularly meet and discuss issues on a more informal basis. In addition, an autism resource guide for the district has been developed. The behavioral specialists reported efforts to train instructional assistants but acknowledged that finding the time is often an issue. Interviews with focus groups and survey results indicated, however, that training is not consistently accessed by administrators, general education teachers, and ESE teachers in other programs. Lack of understanding of the unique characteristics and needs of students with autism spectrum disorders was identified as impacting a wide range of issues including decreased:

- Administrative support, particularly as it relates to leadership in the area of inclusion.
- Willingness of other staff, both general and special education, to include students with autism in their programs.
- Willingness and ability of instructional assistants to implement programs and strategies designed for students with autism.

Research points to the importance of staff training for the development of quality educational programs for students with autism. Training has been shown to increase awareness of autism and its impact on individuals. This leads directly to increased understanding of, and willingness to use, strategies that have been shown to be effective with this population.

**Considerations for Issue 3-6:**

- Provide general overview information about autism to all staff working at schools serving students with autism through computer based modules or direct presentation. The purpose of training at this level is to provide staff with a basic understanding of autism in order to increase their understanding of the needs of this population of students.
- Develop multidisciplinary autism support teams, including experienced teachers, therapists, school psychologists, and behavioral specialists at schools serving students with autism. Utilize members of these teams to provide in-depth training for instructional assistants and beginning teachers in autism specific classrooms.
- Utilize members of the student's IEP support team to provide training and assistance to other teachers, ESE or regular education, who have a student with an autism spectrum disorder included within their classroom. Training at this level

should be specific to the characteristics, needs, and supports relevant to the specific student.

**Cost Implications for Issue 3-6:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher. MGT cannot calculate costs for substitutes or teacher stipends at this time, as the costs are based on the number of hours and the method for delivery of the professional development.

**Issue 3-7: Placement of Students with Autism in the Least Restrictive Environment.**

The district serves some students with autism within one of four levels of autism-specific service delivery models. Other students with autism continue to be served within classrooms for students with moderate to severe disabilities. While attempts have been made to operationally define criteria for placement of students with autism based upon individual needs, the diversity of this population of students makes this type of decision challenging. This issue is further complicated by the lack of a full continuum of grade levels or service delivery options available within schools that serve students with autism spectrum disorders. Interviews with teachers indicate that this limited range of program options can interfere with their ability to ensure that students have access to instruction in the least restrictive environment as it may not be available within their school.

**Consideration for Issue 3-7:**

- Create a continuum of services, including all grade levels and a full continuum of educational supports, within schools serving students with autism.

**Cost Implications for Issue 3-7:**

Costs associated with this consideration are related to staff time. Work tasks should be completed during the work day resulting in no additional costs to the district.

**Issue 3-8: District Level Support for Teachers of Students with Autism Spectrum Disorders.**

The autism program in MSUSD is supported by the district administrator for special day classes in close collaboration with the district behavioral support team. This team includes a program manager and two certified behavioral analysts. They are actively involved in the development of the autism program, the provision of direct support for teachers, and in training efforts.

**Commendation 3-E:**

The behavioral support team employed by the MSUSD was consistently described by teachers, therapists, and administrators as providing quality support and training in the areas of behavioral support, program development, training, and effective strategies for individual students with autism.

**Issue 3-9: Early Identification of Students with Autism Spectrum Disorders.**

The benefits of early identification of individuals with autism spectrum disorders have been thoroughly documented in research literature. These include development of appropriate strategies, focus on active engagement, and the development of goals and objectives that address the core deficits of autism. The National Research Council (2001) recommended that education should begin as soon as a child is suspected of having an autism spectrum disability.

**Commendation 3-F:**

The MSUSD has demonstrated a commitment to early identification of individuals with autism spectrum disorders. This is evidenced in their willingness to evaluate children as early as possible if autism is suspected; many are evaluated and identified in prekindergarten.

**Issue 3-10: Individual Education Programs (IEPs) for Students with Autism.**

Research and best practices support addressing the core deficits of autism within the development of the IEP. These deficits include the areas of social communication and emotional regulation. It is further recommended that problem behaviors be addressed through positive behavioral approaches that include functional assessment, teaching of replacement behaviors, and proactive supports.

A random sample of IEPs for students with autism was reviewed during the site visit. All IEPs reviewed addressed core deficits of autism (social skills, communication, and behavioral regulation) as well as appropriate academic or functional skills. Examples of functional skills included use of eye gaze to obtain information, increasing independent skills, use of sensory strategies to increase attention, and increased use of language within social contexts. The IEPs also addressed behavioral issues within the guidelines of positive behavioral support planning. Examples included the use of schedules to define expectations, direct instruction and reinforcement of replacement behaviors, and priming the student in advance of changes.



**Commendation 3-G:**

The teachers of students with autism within MDUSD have shown a commitment to the development of best practices in the development of IEPs as demonstrated by their focus on core deficits and positive behavioral support strategies.

**Issue 3-11: Development of Specialized Educational Programs for Students with Moderate to Severe Disabilities.**

The MDUSD currently serves 290 students with moderate to severe disabilities. Prekindergarten through high school-age students are educated within special day classes (SDC) located in schools throughout the district. The district supports three preschool, eight elementary, four middle, and ten high school classes. In addition, Bridge, a transition to work program for students 18-22 years of age, is located at one center and two school-based sites. Classes are taught by one special education teacher supported by two instructional assistants. Student numbers are capped at nine in the elementary schools and 11 in middle and high schools.

**Commendation 3-H:**

The MSUSD has shown a commitment to providing specialized educational programs for students with moderate to severe disabilities. This is consistent with best practices as it allows for the implementation of curriculum that reflects the developmental needs of this population, is relevant to their everyday experiences, and provides a framework for the generalization of skills across environments.

**Issue 3-12: Allocation of Teacher Resources.**

Teachers serving students with moderate to severe disabilities within the MSUSD are provided resources that have been developed in a collaborative effort between teachers and administrators representing the Special Education Administrators of County Offices (SEACO). The SEACO was developed to assist teachers in aligning functional skill goals and objectives with California State Department of Education Curriculum Frameworks. The SEACO includes Functional Performance Indicators (FPI) that provide a framework for the development of goals and objectives that are aligned with state standards while being relevant for the needs and developmental level of students with moderate to severe disabilities.

In addition, teachers serving students with moderate to severe disabilities have access to a manual developed by SEACO that describes best practices for educating this population of students. The SEACO manual describes best practices in several areas including:

- The development of IEPs and instructional programs that are appropriate and relevant to the needs and everyday lives of individual students.

- Classroom organization including schedules, activities, and lesson plans that address the goals and objectives of individual students.
- Community Based Instruction (CBI) designed and implemented to directly reinforce and generalize specific goals and objectives within natural environments.
- The utilization of assistive technology whenever appropriate to assist individual students reach their potential vocationally, socially, communicatively, physically, and academically.
- The planning and implementation of structured opportunities for students with moderate to severe disabilities to interact with their typically developing peers.

**Commendation 3-1:**

The MSUSD has shown a commitment to the development of functional and relevant goals, objectives, and activities for students with moderate to severe disabilities by ensuring that all teachers have access to appropriate resources.

**Issue 3-13: Lack of Curriculum for Students with Moderate to Severe Disabilities.**

Teachers who participated in the focus group discussions were able to clearly articulate the need to provide instruction to students with moderate to severe disabilities in an individualized and functional manner. They gave many examples of instruction that are consistent with the best practice of teaching academics through activities that are relevant to the student's everyday experiences.

Teachers further reported, and MGT consultants confirmed, that there is not a district-adopted curriculum for students with moderate to severe disabilities. Curriculum components are determined by the individual teacher. Teachers reported that this results in a lack of program consistency and continuity. Interviews with district administration indicated awareness of this issue and plans to address it by adopting a district wide curriculum for students with moderate to severe disabilities.

**Consideration for Issue 3-13:**

- Adopt a curriculum for students with moderate to severe disabilities that is consistent with functional performance indicators developed by SEACO.

**Cost Implications for Issue 3-13:**

Adoption of a new curriculum will have a staff development component with costs. If the staff development cannot be provided during the school day during planning periods, early release days, or embedded staff development, the district should determine the staff development needs and associated costs for after-school training sessions.

**Issue 3-14: Inconsistent Implementation of Functional Approaches to Instruction.**

Effective instruction for students with moderate to severe disabilities focuses on the teaching of functional skills. These are skills that are necessary for the student to be successful in family, school, and community environments. Strategies include use of instructional materials that are real and meaningful to the students, structured opportunities to generalize skills, and teaching in natural contexts including real materials in real life settings.

During classroom observations and review of records, MGT found that the implementation of a functional approach to teaching students with moderate to severe disabilities is not consistent. Some teachers were observed to actively engage students in functional academic activities. Students in other classrooms, however, engaged in activities that were presented outside of a functional framework. Examples of activities that lacked relevance included the teaching of isolated academic skills without relating them to a functional context, use of worksheets to teach math to students within a group setting, and the engagement of older students in non-age appropriate activities such as coloring.

**Considerations for Issue 3-14:**

- Ensure that all teachers working in classrooms for students with moderate and severe disabilities are trained in best practices including the functional teaching of academics and other skills.
- Implement a system to support new or struggling teachers in this area through the use of peer teachers, program specialists, and regularly scheduled department meetings.

**Cost Implications for Issue 3-14:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher. MGT cannot calculate costs for substitutes or teacher stipends at this time, as the costs are based on the number of hours and the method for delivery of the professional development.

**Issue 3-15: Inconsistent Utilization of Instructional Assistants to Provide Instruction.**

Variation in the effective use of instructional assistants was noted during onsite observations of classrooms for students with moderate and severe disabilities. In some classrooms, instructional assistants were actively engaged in teaching individuals or small

groups of children. In others, however, teachers were observed teaching a lesson to the entire class while the instructional assistants watched or worked on routine tasks such as cutting materials for another activity. In these instances, the instruction was not individualized and it was apparent that some students were not actively participating.

Students with moderate to severe disabilities are a diverse group with significant needs. Goals and instructional strategies must be individually determined in order to be effective. In best practice models, instructional assistants are utilized to provide individualized instruction under the direction of a teacher or therapist.

The MDUSD administrative staff has recognized this issue. Training for new teachers in the effective use of assistants occurred on January 19, 2010. Ongoing training in this area is planned.

**Considerations for Issue 3-15:**

- Implement a system to support teachers in the development of best practices, including utilization of instructional assistants and individualization of instruction, through the use of peer teachers, program specialists, and regularly scheduled department meetings.
- Provide school-based administrators with a guide to best practices for teaching students with moderate to severe disabilities, including appropriate classroom structure, instruction, behavioral management, and utilization of support personnel. Utilize the best practices identified by SEACO in the development of this tool.

**Cost Implications for Issue 3-15:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom.

The schools should identify targeted strategies for improving instruction and use allocated staff development funds, if needed, for staff development after school hours. If required, the district would pay \$25 per hour for staff development after school hours. The costs of staff development after school hours cannot be calculated at this time and is based on the specific targeted strategies at each school or for each special education service delivery option.

**Issue 3-16: Lack of Appropriate Classroom Structure and Supports in Some Classrooms.**

Students with moderate to severe disabilities benefit from classroom structure and support that clearly communicates expectations. While these were evident in some classrooms,

they were not observed in others. Issues noted by MGT during onsite observations in some of the classrooms for students with moderate to severe disabilities included:

- Clutter and lack of clearly defined activity areas.
- Lack of posted classroom schedule for both students and staff.
- Lack of visual schedules for individual students.
- Visual schedules for students observed in classroom but not used.
- Other visual supports such as first-next boards observed in classroom but not used.
- Lack of clear transition routines.

**Considerations for Issue 3-16:**

- Review current district support for teachers serving students with moderate to severe disabilities including the use of peer teachers, program specialists, behaviorists, and regularly scheduled department meetings. Increase levels of support as appropriate and ensure that all teachers understand how to access it.
- Provide school based administrators with a guide to best practices for teaching students with moderate to severe disabilities including appropriate classroom structure, instruction, behavioral management, and utilization of support personnel. Utilize the best practices identified by SEACO in the development of this tool.

**Cost Implications for Issue 3-16:**

Costs associated with this consideration are related to staff time. Work tasks should be completed during the work day, resulting in no additional costs to the district.

**Issue 3-17: Inconsistent Documentation of Standards within Individual Education Plans.**

District procedure as well as best practice in the development of IEPs requires documentation of functional performance indicators (FPI) linked to California's standards-based core curriculum in the description of a student's present level and the development of goals and objectives. References to functional performance indicators or core curriculum were included in a few IEPs that were randomly selected. This was not consistently seen, however, in the majority of the IEPs reviewed by MGT. As a result, it was not possible to determine if individual goals were related to specific standards or indicators. This issue has been noted by district administrators, and teacher training in the development of IEPs is scheduled in January 2010.

**Considerations for Issue 3-17:**

- Implement a districtwide systematic review of IEPs to ensure that they clearly link present level, goals, and objectives to specific indicators or standards.
- Provide districtwide guidance to teachers who struggle with the development of IEPs through peer teachers, program specialists, and regularly scheduled departmental meetings.

**Cost Implications for Issue 3-17:**

Costs associated with this consideration are related to staff time and professional development. Work tasks should be completed during the work day, resulting in no additional costs to the district.

**Issue 3-18: Mental Health Collaborative Services.**

The Department of Pupil Services and Special Education has created a number of specialized programs for students with disabilities in need of intensive services.

The Mental Health Collaborative is a shared partnership between MDUSD, Contra Costa County Mental Health and three agencies: FamiliesFirst, Inc., Fred Finch Youth Center, and Seneca Center. This service delivery model is funded with a braided funding model between MDUSD and Contra Costa County Mental Health Medical and AB3632. The Mental Health Collaborative is a clinical intervention model that provides students in MDUSD a team approach, integrating special education and mental health services in the least restrictive setting. The ultimate goal of the program is to prepare students to be independent and productive participants in their local schools and communities. Students referred to the program are at risk of requiring nonpublic school placements and residential placements.

Based on documentation provided by Contra Costa Health Services, IDEA is intended to ensure that students with disabilities receive special education services necessary for them to benefit from a free and appropriate public education (FAPE). The state of California receives funding for agreeing to comply with the requirements of IDEA. AB3632 is the result of lawsuits and advocacy to increase special education students' access to mental health services. Under the California Code of Regulations, county mental health departments are mandated to provide mental health services specifically through IDEA and are legally bound with families and students to provide those IDEA stipulated services. Services may include, for example, outpatient, day treatment, and residential care.

The district's cooperative agreement with Contra Costa Mental Health Services supports the district's school psychologists who provide Child Family Team (CFT) facilitation and counseling clinic services to students and families who require mental health services. District psychologists bill for their services through County Mental Health Medi-Cal. The

department administration indicated during onsite visits that all salaries and expenses for these services are covered by monthly billings generated by the school psychologist to Medi-Cal, and SB90, a claiming mechanism for students who qualify for services under AB3632. In order to access these services, students must be evaluated and diagnosed with a mental health disorder as defined by the DSM-IV. The school psychologist positions assigned to the collaborative provide the mental health assessments, and the Contra Costa Mental Health Services reviews and verifies the mental health diagnosis for eligible students, thus qualifying the student for mental health counseling provided by the collaborative.

According to the department, this collaboration by the district and Contra Costa Health Services is considered a model program. In November 2007, the Contra Costa County Board of Supervisors recognized this program for its exemplary services to students.

The district funding match required by the Contra Costa Mental Health Services is \$930,952. Based on documentation provided by the Contract Costa Health Services, this local match supports five separate contracts, two directly with MDUSD, Sunrise/Alliance and Fair Oaks Medi-Cal clinic, and three community-based contracts with Families First, Fred Finch, and Seneca. The contracts total \$7,469,462, most of which is drawn from Medi-Cal and SB90 claiming.

With 352 students enrolled in the program, the average cost per student is \$2,644. Based on data provided by the Department, each nonpublic school placement for students with mental health needs costs the district \$35,000 to \$40,000 or more, depending upon the additional related services and mental health services offered. The data further estimates a \$19,000 to \$24,000 cost savings per student by maintaining students in the Mental Health Collaborative rather than providing education in a nonpublic school. According to district administration, if the mental health collaborative contracts are maximized, the MDUSD's share of the cost would be 12.5 cents for every dollar of service. Further, it is reported by district administration that the cost/benefit to MDUSD could be significant, especially given the professional level of programming.

During school visits and classroom observations, MGT consultants found very high adult-to-student ratios, typically ranging from one adult to two or three students at all grade levels. MGT recognizes that best-practice models have a high adult-to-student ratio for students with severe emotional or behavioral challenges; however, in some cases, MGT consultants observed situations where there were more adults than students in classrooms and in student isolation areas. During classroom observations of numerous programs across the district, MGT consultants did not observe any consistent and active engagement of students with mental health personnel or instructional staff. MGT consultants did not observe any counseling sessions or mental health interventions by the school psychologists assigned to the collaborative. MGT consultants observed disengagement of students and/or whole-class instruction in 87 percent of classrooms observed.

Using a rating scale of one (minimal success) to three (substantial success), a review of student achievement in 2008-09 Mental Health Collaborative reports indicate:

- Mental health goals measures ranged from 1.9 to 2.7.
- Attendance ranged from 77 percent at Alliance to 95.5 percent at Bel Air Outpatient.
- Elementary grade level standards mastery ranged from 1.61 in fifth grade to 2.64 in second grade.
- Academic scores of one year or greater indicate academic growth, with the exception of Bel Air Outpatient. It should be noted that many students participating in the Mental Health Collaborative are below grade level in basic academic skills, particularly at the secondary level.

For the 2009-10 school year, the district hired 20 behavior health specialist positions at a cost of \$1,530,113. MGT consultants received conflicting reports as to how these positions are funded or if Medi-Cal reimbursement cover the costs of these positions. According to documentation provided by the Contra Costa Health Services, these positions are not paid for by the \$930,952 district match. Further, the behavior health specialist positions pay for themselves through Medi-Cal and SB90 claims made by the County.

In onsite focus groups, the behavior health specialists indicated that they are employed eight hours per day and are required to be Medi-Cal billable for five hours per day. This work schedule is also consistent for school psychologists assigned to the Mental Health Collaborative.

While the Mental Health Collaborative documents adequate progress for students, MGT could not determine benefits to students versus costs to the district. Actual costs are braided within multiple funding sources with no clear, concise data provided to MGT to substantiate the actual costs to the district.

The Counseling Enriched Program (CEP) at Sun Terrace School is designed to meet the academic and behavioral needs of students exhibiting behavioral challenges in either the general education or special education setting. This service delivery model offers academic and behavioral support to students throughout the day. The program consists of two classrooms, both designated as fourth/fifth grade combination classes. Both classes are taught by a special education teacher and two special education instructional assistants. Support staff consists of one full-time school psychologist, one part-time behaviorist, and one part-time social worker. The program currently services up to as many as 22 students. CEP offers counseling, behavior support planning, and case management to all students.

While the CEP may be a viable program for students with academic and behavioral needs, the district should consider the benefits to students versus the costs to the district. The



district must determine if the services of the CEP could be delivered in a less restrictive environment (home school with support) at a reduced cost to the district. If a less restrictive environment is a viable option for students, the district could realize a cost savings for personnel and transportation.

**Considerations for Issue 3-18:**

- Determine actual costs of the Mental Health Collaborative to the district to ascertain the overall effectiveness of the model.
- Assign all school psychologists to a home school and schools within the same feeder pattern for accountability and support.

**Cost Implications for Issue 3-18:**

MGT cannot determine cost implications at this time. The district should consider developing a more consultative service delivery system (for example, reducing direct service and increasing consultative services from school psychologist and behavioral health specialist positions with greater emphasis on staff development for teachers and teacher assistants).

**3.4 Nonpublic Placements**

**Issue 3-19: Restrictive and Costly Nonpublic School Placements.**

Nonpublic school placements are the most restrictive setting for a student with a disability. Nonpublic school placements currently total \$7,205,818, for 191 students, an average cost of \$37,727 per student.

Based on information provided by district staff, MDUSD evaluates students in nonpublic school placements (NPS) on an annual basis. A MDUSD team reviews students in NPS to determine ability to return to the district. The Mental Health Collaborative and classes for students with autism were implemented to accommodate students who were previously serviced in NPS.

These costs could be reduced if the district could build capacity to serve the students in-district, with better utilization of existing staff such as school psychologists who are not based in schools as well as behavioral services staff. With targeted staff development in schools, it may be possible to utilize the Special Day School model for some of these students, resulting in a cost savings to the district. MGT recognizes that the cost savings could be partially offset by the need for the development of additional classes. MGT further recognizes the full continuum of special education services for students with disabilities and supports the district's efforts to make such determinations through the multidisciplinary evaluation and placement process.

MDUSD has effectively demonstrated program development for students that were once served in nonpublic placements, such as the autism magnet middle school program. MDUSD seems to have the capacity for further development of such programs. Other schools districts such as Franklin Township (NJ), Hampton City (VA), Spotsylvania (VA), Virginia Beach (VA), and Greenwich (CT) have demonstrated similar systems of care models that offer district-based programs for severely disabled students.

**Consideration for Issue 3-19:**

- Reduce nonpublic school placements, building capacity to service students within the district.

**Cost Implications for Issue 3-19:**

Cost implications for reducing nonpublic school placements is difficult to ascertain and should include legal fees, the need for the development of additional classes, hiring of staff, and providing related services, such as transportation. The district should consider integration of students in NPS into existing service delivery models to the greatest extent possible.

**3.5 Related Services**

**Issue 3-20: Behavioral Services (Exclusive of the Mental Health Collaborative).**

Behavioral services are provided to MDUSD students with identified behavioral needs. These services are in addition to the behavioral services provided to students in the Mental Health Collaborative. Many are special education students who require a specific behavior program as part of their IEP. Others are general education students whose behavioral problems are significant enough to warrant intervention. Special education teachers have received training in the process of developing and implementing a behavioral support plan and school psychologists are available to assist those who need extra support. Currently, the MDUSD has two certified behavioral specialists on district staff and are in the process of recruiting a third. They provide direct support to students and teachers in autism specific classrooms, as well as consultation for general education students. The district contracts with outside agencies for services that cannot be met by staff members.

Research supports the use of positive behavioral supports (PBS) in addressing the behavioral needs of students with a wide range of disabilities. Strategies utilized in the development of positive behavioral support plans include determining the function of the problem behavior, the determination and implementation of proactive environmental supports, accommodations to decrease problem behavior, strategies to systematically teach replacement behaviors, and an individualized reinforcement system. A review of MDUSD behavioral plans found that they utilize positive behavioral supports which are consistent with research and best practices.

While onsite, MGT reviewed behavioral support plans and observed instances of staff responses to problem behaviors. Inconsistencies were found in the use of best practices in the development of positive behavioral plans and in observed staff responses. Examples included lack of visual or environmental supports, lack of modification of instruction or activities to meet the individual student's needs, and negative staff response without evidence that replacement behaviors were being addressed.

Behavioral support services are available to both general education and special education teachers and staff. Procedures and criteria for accessing these services have been developed by district staff.

Interviews with teachers, classroom observations, and program record reviews found that the district-level behavior department has demonstrated a commitment to research-based educational services for students with autism. Cases are assigned to one of two behavioral specialists as they are reviewed. As a result, each specialist serves students throughout the district and, at times, both are involved within the same school. This results in issues including increased travel time, difficulties forming professional relationships within schools, and lack of clarity for school staff regarding the procedure for obtaining assistance. The district administration recognizes this issue and plans to regionalize behavioral services once they are able to hire a third behavioral specialist.

Teachers working in autism specific classrooms reported that they rely heavily on the two district behavior specialists for behavioral and programmatic assistance as support from other professional staff, such as school psychologists or program specialists, was not consistently available. As a result, the behavioral specialists on district staff report that they each spend approximately 50 percent of their time addressing the needs of the autism specific programs. Teachers in other special day classes reported frustration due to difficulties obtaining quality behavioral services.

**Commendation 3-J:**

- MDUSD has shown a commitment to the development of research based positive behavioral supports for students with moderate to severe disabilities by providing training to teachers. Teachers involved in the focus group discussion described the training as being effective. They felt confident in their ability to develop appropriate behavioral plans and had access to support from school psychologists or behavioral specialists when assistance was needed.
- It was evident through interviews with teachers that the certified behavioral specialists on district staff are highly qualified professionals dedicated to addressing the wide range of behavioral needs found within the schools.

**Considerations for Issue 3-20:**

- Implement a systematic review of the behavioral support plans developed for students with moderate to severe disabilities.
- Provide training and coaching by qualified staff including school psychologists and behavioral specialists to teachers when deficiencies are noted.
- Implement feeder patterns for behavioral support services as planned. The benefits to MSUSD include increased opportunities to build capacity within schools to address behavioral needs, opportunities to increase collaboration, and decreased travel cost both in terms of mileage and specialist's time.
- Develop autism support teams within schools that include autism specific classrooms. This would benefit the district by decreasing teacher reliance on the behavioral program for assistance in all areas and increasing the time available for assisting teachers in other programs, school wide behavioral support and capacity building.

**Cost Implications for Issue 3-20:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher. MGT cannot calculate costs for substitutes or teacher stipends at this time, as the costs are based on the number of hours and the method for delivery of the professional development.

**Issue 3-21: Adaptive Physical Education.**

The district maintains four adaptive physical education specialist positions.

The past 10 years have seen a clear shift in the role of adaptive physical education (APE) specialists. In the 1970s and 1980s, APE specialists were primarily responsible for direct services to students with disabilities, either in special schools or in self-contained classes within public schools. This role continues to be important today. However, given the increasing numbers of students with disabilities and the rise of educational trends such as inclusion, consulting has quickly become one of the more important responsibilities of APE specialists.<sup>2</sup>

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<sup>2</sup> National Consortium for Physical Education and Recreation for Individuals with Disabilities [NCPERID], 1995.

APE consulting consists primarily of assisting general physical education teachers who provide direct physical education services to students with disabilities. This assistance includes providing information about (1) specific disabilities, (2) medical and safety issues, (3) modifications to specific activities, (4) behavioral and instructional strategies, (5) the IEP process (including how to participate on the IEP team), (6) how to assess students with disabilities, and (7) how to be an advocate for such students.<sup>3</sup>

Given the budget deficit facing the district, a consultative model for delivery of adapted physical education should be considered. The district should consider maintaining one districtwide adaptive physical education specialist position to work collaboratively with school-based physical education, special education teachers, and instructional support staff to implement the adaptive physical education goals and objectives of the IEP. If a collaborative model is considered, the district must ensure that the services to the students with disabilities are consistent, appropriate, and reflective of the IEP.

**Considerations for Issue 3-21:**

- Eliminate three adaptive physical education specialist positions.
- Create a consultative model for the delivery of adaptive physical education.

**Cost Implications for Issue 3-21:**

If the district eliminates three Adaptive Physical Education Specialist positions, the district could realize an annual cost savings of \$206,790 (salary and benefits) or a cost savings of \$1,033,950 over a period of five years.

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher. MGT cannot calculate costs for substitutes or teacher stipends at this time, as the costs are based on the number of hours and method for delivery of the professional development.

CONSIDERATION	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Eliminate Three Adaptive Physical Education Specialist Positions	\$206,790	\$206,790	\$206,790	\$206,790	\$206,790

<sup>3</sup> Auxter, Pyfer, & 1-luettig, 2001; Block & Gonatser, 1999; Sherrill, 1997.

**Issue 3-22: Special Education Assistance in Classrooms and for Individual Students.**

The Department of Pupil Services and Special Education maintains 397 teacher assistant positions, including:

- 143 special education assistant I positions.
- 186 special education assistant II positions.
- 9 special education assistant III positions
- 59 special education assistants assigned to specific students (1:1).

In addition, the district also provides eight substitutes for vacant teacher assistant positions and six teacher assistant positions for extra classroom and student support.

There was a reduction of 28 teacher assistant positions in 2008-09, but MGT found during onsite interviews and records reviews that substitute teacher assistant positions have often replaced the eliminated positions.

MGT was scheduled to meet with special education assistants on two separate occasions. The first meeting was cancelled due to the interruption of a union representative. There was no attendance at the second meeting. MGT did interview three special education assistants who volunteered to participate in the review process. Other than the report from the three interviewees, MGT did not receive adequate information to accurately report responsibilities or concerns of this group.

Based on interviews and classroom observations, special education assistants provided a variety of job duties consistent with their job descriptions. Based on the particular assignment, special education assistants provided support of academic, behavioral, and daily living skills for students with disabilities.

**Exhibit 3-5** shows a comparison of California school districts with a similar population of students with disabilities and the number of teacher assistant positions. Compared to peer districts with similar size population of students with disabilities, MDUSD is overstaffed with teacher assistant (special education assistant) positions. The comparisons for enrollment of students with disabilities include all levels of disabilities. MGT acknowledges numerous reports that families with intensively needy students move to MDUSD because of the intensive special education services that the district offers.

**EXHIBIT 3-5  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
COMPARISON OF TEACHER ASSISTANT POSITIONS WITH PEER SCHOOL DISTRICTS  
2009-10 SCHOOL YEAR**

DISTRICT	ENROLLMENT OF STUDENTS WITH DISABILITIES	NUMBER OF TEACHER ASSISTANTS	RATIO TEACHER ASSISTANTS TO STUDENTS
Mt. Diablo Unified, CA	4,004	399	1:10
Clovis	2,830	510	1:6
Folsom	2,638	185	1:14
Moreno Valley	3,960	463	1:9
San Ramon	2,901	131	1:22
West Contra Costa	4,406	335	1:13

Source: Created by MGT of America using data provided by the MDUSD and Council of Great City Schools, 2009.

The MDUSD ratio of one assistant to 10 students with disabilities is lower than the average ratio of 1:12. The number of teacher assistant positions consistent with the peer comparison average for MDUSD would be 334 positions (4,004/12), which is 65 positions less (399-334) than the current MDUSD special education teacher assistant allocation.

**Considerations for Issue 3-22:**

- Decrease the number of special education assistant positions by 65 positions.
- Adhere to a consistent protocol for the approval and assignment of 1:1 special education assistant positions. While some students with disabilities do require the support of a special education assistant, the district should review current procedures and assign special education assistant positions to classrooms rather than to individual students where possible. Physician referrals or parent requests, without additional substantiated data to document the need for assistance, is inappropriate.
- Provide staff development to IEP teams in regard to appropriate supplemental aides and services, such as a special education assistant.
- Hold the designated local education agency representative (LEA) at each school accountable for the costs of approved supplemental aides and services or related services documented on the IEP, such as a special education assistant. Typically, the LEA is the building principal or designee.
- Ensure that the designated LEA is fully aware and has been provided documentation of the legal requirements of the LEA's role and responsibility as a member of the IEP team.

**Cost Implications for Issue 3-22:**

If the district eliminates 65 of the Special Education Assistant positions, MDUSD could realize an annual cost savings of \$2,454,270 or a cost savings of \$12,271,350 over a period of five years. This cost includes salaries, salary-driven costs and benefits, and is calculated on an average salary of \$37,758 per position.

<b>CONSIDERATION</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>
Eliminate 65 Special Education Assistant Positions	\$2,454,270	\$2,454,270	\$2,454,270	\$2,454,270	\$2,454,270



***4.0: POLICIES, PROCEDURES,  
AND COMPLIANCE***

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## **CHAPTER 4: POLICIES, PROCEDURES, AND COMPLIANCE**

This chapter provides information on issues related to policies, procedures, and compliance with the Individuals with Disabilities Education Act (IDEA), California regulations for Special Education, related compliance and programmatic issues, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA).

By reviewing compliance policies, procedures, and practices, one can gain a snapshot of the district's willingness and intent to serve students with disabilities within the Mt. Diablo Unified School District (MDUSD) and envision potential financial benefits of compliance with state and federal regulations. There can be no doubt that the district has been influenced by the *Spieler v. Mt. Diablo Unified School District* consent decree, which will be discussed in detail later in this document. This chapter should be viewed along with Chapter 2 District Operations and Associated Financial Effectiveness; Chapter 3 Service Delivery Options and Continuum of Services; Chapter 5 *Spieler v. Mt. Diablo Unified School District*; and Chapter 6 Personnel Services and Professional Development.

This chapter addresses 16 issues of exemplary practices and areas in need of improvement in the following sections:

- 4.1 Local Policies and Administrative Regulations
- 4.2 IDEA and California State Regulations Supporting Special Education
- 4.3 Related Compliance and Programmatic Issues
- 4.4 Section 504 of the Rehabilitation Act of 1973
- 4.5 District Special Education Compliance Self-Review

### **4.1 Local Policies and Administrative Regulations**

#### **Issue 4-1: Board Policies and Administrative Regulations.**

MDUSD does not have Board policy regarding notice to comply with Section 504, compliance with IEPs and Section 504 plans, or least restrictive environment. During onsite visits, MGT consultants found that MDUSD exceeds California Department of Education requirements for provision of specialized, segregated programs, such as assistive augmentative communication and mental health services. The district should consider Board policy related to educationally relevant (versus clinical) service delivery.

As budget cuts and changes in programmatic options are considered, the following Board Policies (BP) and Exhibit (E) should be administratively reviewed to ensure that local policies are aligned with local actions:

- BP 4112.23 (Personnel) states *The Governing Board shall employ certified resource specialists to provide services...* This policy requirement must be considered as budget cuts are made.

- BP 4131 (Personnel) and 4331 (Personnel) requires *The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers and certificated teaching assistants to enhance their instructional and classroom management skills.*
- BP 5141.24 (Specialized Physical Health Care Services) requires *specialized physical health care services* and has an impact on special education and Section 504.
- E 5141.6 (Parental Notifications) specifies *when staff are to notify parents of action.* This document should be communicated and inserted in staff handbooks.
- BP 6141 (Curriculum Development and Evaluation) requires *district curriculum which reflects district philosophy.* The district's Life Skills curriculum is not noted.

Other Board Policy (BP) and Administrative Regulation (AR) issues:

- BP and AR (Instruction) 6174 do not require that non-English speaking special education placements must be assessed in their native language before special education or Section 504 placements are made.

**Considerations for Issue 4-1:**

- Review the policies listed above for potential violations.
- Communicate and insert Exhibit 5141.6 (Parental Notifications) in staff handbooks.
- Establish a Notice for ADA Recruitment, Advertisement, Application, and Employment Notice of Non-Discrimination. It is suggested that this notice to the public be posted in the Personnel Services Department and in public areas where parents and staff congregate.
- Develop a procedure for policy review, implementation, and dissemination and communicate all policies and administrative regulations to the staff. The staff must understand the policy to ensure its compliance.
- Create policies to ensure compliance within the district and to reduce the district's liability for potential damages. Examples are shown in **Exhibit 4-1:** Notice to Our School Community, and **Exhibit 4-2:** Complying with Individualized Education Programs (IEP's) and Section 504 and Americans with Disabilities Reasonable Accommodation Plans. Additionally, it is suggested that all policies be linked on the district's Web page.

**EXHIBIT 4-1  
SAMPLE NOTICE  
SECTION 504 OF THE REHABILITATION ACT OF 1973  
AND THE AMERICANS WITH DISABILITIES ACT  
NOTICE TO OUR SCHOOL COMMUNITY**

(NAME OF SCHOOL CORPORATION)

(Name of School Corporation) is committed to complying with the requirements in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. We are seeking information from adults with disabilities in our community relative to the following:

1. Do you have a physical or mental disability, and do you have a child enrolled in our school? (Are you deaf, have a physical disability, or serious medical condition(s), etc.)? YES \_\_\_\_\_ NO \_\_\_\_\_

We are responsible for providing you access to parent-teacher conferences and other programs and activities including graduation.

2. Are you or do you know of an individual with a disability that may attend a function in our building (i.e., graduation ceremony)? We would like to be aware of this in case there are physical barriers in accessing our building. YES \_\_\_\_\_ NO \_\_\_\_\_

Please provide the following information so that we can provide you access to our facility, programs, and activities. All responses will be kept confidential.

\_\_\_\_\_  
NAME PHONE NUMBER

\_\_\_\_\_  
ADDRESS

Thank you.

Sincerely,

Building Principal

Source: *A Public School Manual* (2007), M. Livovich.

**EXHIBIT 4-2  
SAMPLE NOTICE  
COMPLYING WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS)  
AND SECTION 504/AMERICANS WITH DISABILITIES ACT (ADA)  
REASONABLE ACCOMMODATION PLANS**

(NAME OF SCHOOL CORPORATION)

(Name of School Corporation) believes it is important that once the respective committee completes an individualized education plan and/or a Section 504 Plan, it should be followed as written. Therefore, it is the policy of this school corporation that those responsible for the education of an individual with disabilities have a voice, whether direct or indirect, in the development of an IEP or 504 Plan and accompanying accommodations or modifications and that the plan be developed from data available, not subjective opinion. Additionally, it is the responsibility of the building principal or his/her designee to communicate the respective plan(s) to the appropriate staff providing the service.

It is the expectation that the staff responsible to educate the individual with a disability follows the plan explicitly, and if they have questions and/or concerns, they should register them in the proper forum with parental participation.

Source: *A Public School Manual* (2007), M. Livovich.

**Cost Implications for Issue 4-1:**

Associated costs for implementation of this consideration are related to staff time to review and update policies and administrative regulations. If tasks are completed during the work day, there would be no additional costs incurred by the district.

**4.2 IDEA and California State Regulations Supporting Special Education**

**Issue 4-2: Understanding of Laws, Procedures, and Responsibilities Regarding Special Education.**

Based on onsite interviews, focus group discussions, school visits, and classroom observations, there appears to be good understanding of special education laws and compliance procedures among MDUSD building and district office administrators. Consistent implementation of special education best practices, however, is lacking.

During onsite interviews, special education teachers shared they are anxious and confused about the many changes that have been made procedurally and stated their handbook has not been revised in a few years. Additionally, staff reductions required additional work for remaining teachers that were not used to certain responsibilities. Staff consistently reported that they lacked updated special education handbooks or written procedural guidelines for school-based special education services.

Use of the term *mainstreaming* on the part of several administrators and teachers suggests some staff may not be advised or may lack current knowledge as to the procedural changes in IDEA 1997 and IDEA 2004 relative to inclusive education. Some of the elementary schools use this language and are not consistently *including* students in the general education core curriculum. Two elementary schools had primary and intermediate self-contained programs where students were not taught their grade-appropriate core work. By not teaching meaningful material, students were denied the opportunity to be prepared for California competency assessments. Scores for these classes were proof the students were not prepared for the material required on the test. There seems to be a philosophical disagreement among some special education staff at the elementary level where inclusive efforts have not been embraced. Some teachers interviewed apparently believe that students should be taught at their functioning level in a separate environment rather than accommodating (modifying) grade-appropriate work in the student's general classroom.

**Considerations for Issue 4-2:**

- Continue to provide ongoing staff development to teachers and staff regarding the implementation of special education services. Board Policies 4131 and 4331 require *ongoing professional development*. It is recommended that professional development be provided either once each semester in a meeting or offer the training once and tape the session, with a link to the district's Web site where staff may have access to the training at-will. An evaluation of the training requiring 100 percent competency should be expected. Whether the staff decides to attend a professional development opportunity in person or seek a virtual opportunity should be up to the individual, but should be completed within a defined timeframe. It must be documented as a condition of further employment that all new staff has the proper understanding of special education requirements.
- Update the Special Education Handbooks and disseminate to administrators and special education teaching staff.

**Cost Implications for Issue 4-2:**

There should be no additional costs to the district if the training is offered after school hours and is optional. One hundred percent competency should be expected for all staff whether they choose to seek training on their own or if they choose a district-provided development program. Staff choosing not to attend the professional development opportunity would be expected to seek the information on their own through the Internet. It must be stressed, however, that all staff must have the understanding and the competencies expressed in this training and therefore, must seek the information and demonstrate the competencies as recorded in the performance evaluations. Future litigation costs for the district will likely be reduced as staff competencies increase.

**Issue 4-3: Appropriate Special Education Notices, Forms, and Procedures to Meet Compliance and Parent Participation.**

Based on data provided by the district, there is evidence of appropriate special education notices, forms, and procedures to meet California compliance requirements and compliance with IDEA. Board Policy 5145 Exhibit 5145.6 details directives for staff on notifying parents for all districtwide notices, including special education notices as shown in **Exhibit 4-3**. This document is very comprehensive and beneficial. Through the review of student files, there is documentation of active parental participation.

**EXHIBIT 4-3  
SAMPLE NOTICE  
PARENTAL NOTIFICATIONS FOR SPECIAL EDUCATION**

- BP and AR 5125 Proposed initial evaluation plan, related parental rights, prior written notice.
- BP and AR 5144.1 Notice of expulsion hearing.
- BP and AR 5144.2 Decision and procedural safeguard notice.
- BP and AR 6159 Intention to tape record IEP meeting; Time, purpose, location, who in attendance, participation of others with special education knowledge, transition statements, if appropriate; Need for written notice.
- BP and AR 6159.1 Prior written notice and procedural safeguard notice; Impartial Due Process hearing notification, description of problem, proposed resolution.
- BP and AR 6159.4 Notification and consent for a functional behavioral assessment; Need for modification, right to question modification; Emergency intervention.
- BP and AR 6162.52 Right to FAPE.
- BP and AR 6164.4 Rights of all parents related to special education identification, referral. Assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment; proposed evaluation plan, related parental rights, prior written notice.

Source: Exhibit 5145.6 Parental Notifications.

**Consideration for Issue 4-3:**

- Document continued openness (transparency) with processes for staff and parents and continue to strive to seek increased and meaningful collaboration with parents.

- Add Exhibit 5145.6 to the Special Education and Staff Handbooks to ensure understanding of requirements.

**Cost Implications for Issue 4-3:**

This consideration can be implemented with existing staff with limited cost of a few pages added to the handbooks. Increased and sustained openness with staff and parents and continual notification of district processes for placement will likely reduce litigation costs and instill a sense of trust in the district's willingness to serve students.

**Issue 4-4: Pre-Referral, Early Intervention, and Response to Intervention (RTI).**

MDUSD offers support and training for a number of school-based teams and pre-referral programs. Some schools have also adopted the Reponse to Intervention (RTI) model and are preparing staff for RTI. The Coordinated Care Team (CCT) and Student Success Team (SST) are examples of processes that seem to overlap and could cause confusion among building administrators, especially newly hired staff. The CCT addresses general issues that are found in the classrooms, such as behavioral concerns, and the SST addresses issues regarding potential placements through special education or Section 504. While some building teams seem comfortable with the two processes, it appears confusing that issues are not seen as common across both systems. There are questions as to the need and efficacy of having two processes operating within an already stretched staff with limited resources. If the two processes were combined, there would be less confusion regarding requirements and fewer district resources used. RTI seems less popular and less prevalent in the schools as a means to provide general education support for students with learning difficulties. There are some schools, however, that have embraced a RTI approach and MGT received documentation that indicates the approach is working well in those schools.

During school visits, classroom observations, and interviews with school and district administration and teachers, MGT found that some schools are effectively utilizing the Academic Success Center model for effectively alleviating academic deficits of students with and without disabilities. Some interviewees attribute this intervention program to reducing the number of students with disabilities in the district. MGT found this model to be very effective in some schools and recognize it as a best practice. The effectiveness of this model, however, is not consistent throughout the district. The quality of early intervening services and school-based team processes vary from school to school.

During onsite focus group discussions, interviews, and classroom visits, staff expressed frustration as they try to increase academic standards within the classroom and balance the needs of those not ready for the grade level work or the social politics of the school or classroom. Many teachers report they are not adequately prepared to manage remediation of language arts and mathematics deficiencies, and behavioral concerns usually result in a visit to the office, suspension, or expulsion from school. Research has documented that with the proper skills teachers can oftentimes keep a student from being labeled as having a

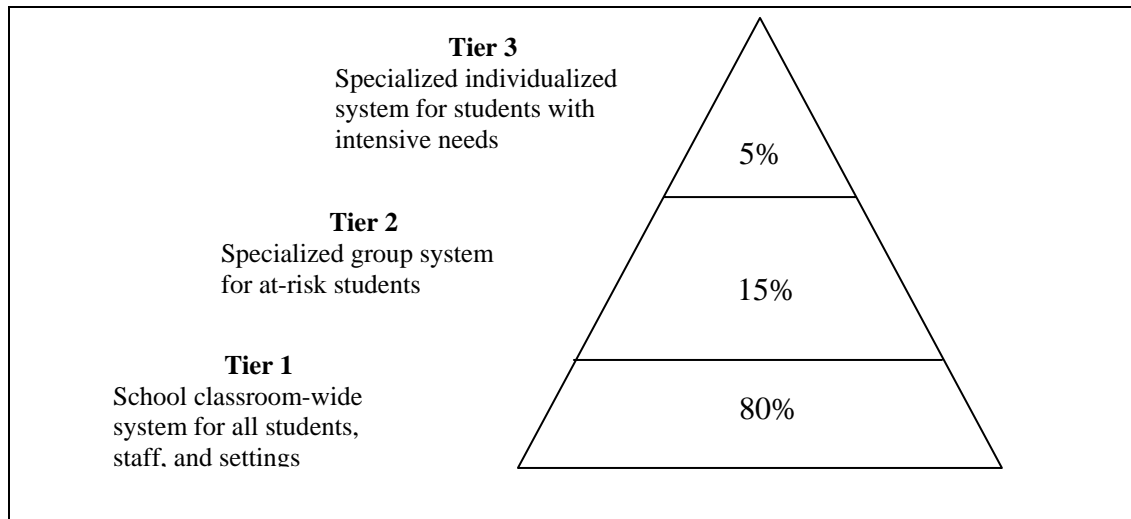


disability or keep a student in the general education classroom by remediating concerns within the general realm. Therefore, staff adequately trained in skills beyond their grade level curriculum are less likely to submit a referral for special education or Section 504 consideration because they can effectively manage difficulties within their classroom. Staff without remediation and behavior management skills are more likely to seek help from professionals outside their classroom.

IDEA 2004 operationalized a pre-referral (early intervention) approach called Response to Intervention (RTI) where students can be provided special education-like intervention in the general education classroom without going through the expensive and extensive process of applying a label. Many schools demonstrate a similar tiered system of intervention by utilizing the Academic Success Center model.

The RTI approach offers three tiers as detailed in **Exhibit 4-4** below:

**EXHIBIT 4-4  
RESPONSE TO INTERVENTION TIERS**



Source: <http://www.rti4success.org>, 2009.

Tier 1 starts with strategies provided by a teacher within the general classroom. Tier 2 strategies are gained through the CCT or SST processes via a brainstorming approach with teachers and support staff from within the building. All strategies are tried over the course of several weeks and the performance is documented. If the student does not improve, the process moves to Tier 3 where additional staff, such as a speech therapist, school psychologist, or a resource teacher, is included to assist with the difficulty by suggesting more intensive methodology is employed. The student might be provided special education-like intervention, and successes (or failures) are documented. Once it is documented that a student is not performing well within the general realm with additional assistance, the student might move to a formal referral resulting in testing for placement.

In the spirit of *No Child Left Behind* (NCLB), educators are encouraged to look less at the label of a child and accommodate instruction for all students. Once the culture of accommodating instruction for only students who have an IEP or Section 504 Plan is changed, referrals should continue to reduce, thus reducing expenses for costly assessments and the emotional expense of labeling.

**Considerations for Issue 4-4:**

- Formalize the RTI pre-referral (early intervention) process originating at the building level for all students. Materials that might be considered include:
  - A helpful link to understanding Response to Intervention can be found at <http://www.rti4success.org>.
  - C.R. Greenwood, T. Kratochwill, & M. Clements (Eds.). Schoolwide prevention models: Lessons learned in elementary schools (2008), New York: Guilford.
  - William H. Bender, Beyond the RTI Pyramid: Solutions for the First Year of Implementation (2009), ISBN 978-1-934009-12-3, (\$29.95).
  - Less costly (\$12.95) is RTI: Response to Intervention from [www.NPRinc.com](http://www.NPRinc.com) (National Professional Resources, Inc.), 25 South Regent Street, Port Chester, NY 10573, 1-800-453-7461.
- Include a core team that meets on a certain day each week for a specified time to address academic and behavioral deficits of students and implement a data-driven approach to alleviating those deficits. This core team should include the referring teacher, a general education teacher, administrator, and support staff, as needed.
- Build the capacity for the entire staff to teach the students with diverse learning needs. Building the capacity for staff to manage remedial and behavioral issues in the classroom is not only cost effective, it is sound practice.
- Realign support systems to feeder schools to provide consistency and professional assistance, especially for those in Tiers 2 and 3 of the RTI process. This would include school psychologists, speech therapists, program specialists, etc.
- Professional development could be provided on strategies to be employed in the classroom to remediate reading, language arts, and mathematics; the pre-referral process; and the RTI guidelines in alignment with BP 4131 and 4331 that require *ongoing professional development*.
- Ensure that all staff, including general and special education teachers, recognize that NCLB expects all students to be competent in grade-level meaningful material.

Some districts have developed a policy with an accompanying administrative regulation detailing *accommodations that are acceptable*.

- Expect general education teachers to accommodate the variety of learning styles presented to them. If they are provided skills through professional development opportunities in remediating reading, language arts, and mathematics for diverse learners, fewer referrals should be generated, thus requiring less support staff.

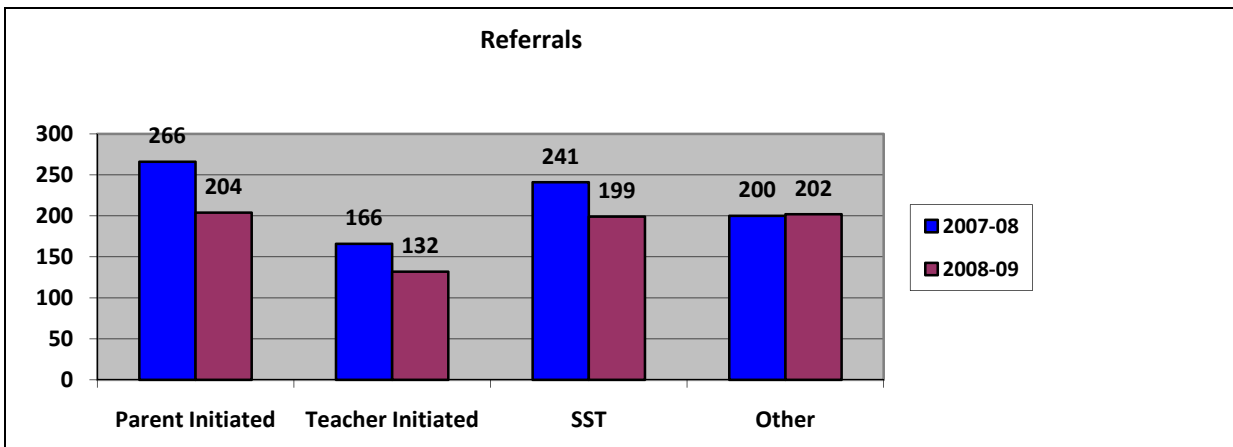
**Cost Implications for Issue 4-4:**

The district can provide the suggestions detailed above, except for the materials listed, without cost. There are skilled staff who can provide the training at a single site. Technology staff could record the training and transform it to a virtual format so staff has access via the Web.

**Issue 4-5: Referrals for Special Education Consideration.**

There is evidence that referrals for special education consideration have declined by 132 cases from 869 in 2007-08 to 737 in 2008-09. Referrals seem to be generated from a cross-section of sources, and there does not seem to be over representation from one particular referral group. **Exhibit 4-5** details referral data for 2007-08 and 2008-09.

**EXHIBIT 4-5  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
REFERRALS FOR SPECIAL EDUCATION 2007-09**



Source: District CASEMIS data, 2009.

Of the 737 referrals presented during the 2008-09 school year, 204 were parent-initiated; 132, teacher-initiated; 199, Student Study/Intervention Team-initiated; 183, Other School Personnel-initiated; and 19, initiated by other means. There is concern that 132 referrals were initiated by teachers outside of the SST. Coupled with the 204 parent referrals, there were 336 parent- and teacher-initiated cases, accounting for almost half of the total referrals. While there could be many reasons for this high number, the concern is that

teachers are operating outside of the school-based team process. Furthermore, the 202 referrals from other school personnel and sources suggest the need for stronger supports for the buildings and staff to assist students in their home environment.

Typically, the school-based team sets the criteria that teachers must follow in making referrals and oversees the entire referral and evaluation process. Further, the school-based team should review referral documentation and any other supplemental information provided, and determine how to best address the concerns. The team should have the option to decide to proceed immediately with an evaluation, gather more information before making a decision, or continue to implement interventions in the general education classroom.

**Considerations for Issue 4-5:**

- Document the reason for referrals for evaluation of special education services. Teachers should be directed to work within stated processes and initiate a referral only when there is data to support going to an outside multidisciplinary team. Teachers must also have an understanding that, in most cases, the student will remain in the general education class and academic core. All participants must realize that testing a child is an expensive process that requires the involvement of many specialized staff members at great cost. Unnecessary referrals only take away from the services and financial resources that are needed by other children. It is inappropriate for teachers to bypass the SST process and ask a parent to initiate a referral.
- Ensure that parents understand that testing their child is not an entitlement, but a child's right *if it is suspected that the child has a disability (IDEA 2004)*. Testing for purposes other than identification and location misuses the intention of IDEA and potentially discriminates against those individuals without a disability.
- Provide professional development on strategies to be employed in the classroom, the pre-referral process, and the RTI guidelines either once each semester in a meeting or offer the training once and record it.

**Cost Implications for Issue 4-5:**

Costs for this recommendation are associated with professional development. Allocation of professional development funds from IDEA, Title I, or Title II funds could be considered for this purpose. Once the staff is trained in pre-referral and RTI and they receive development on remedial and behavioral management skills, the need for support staff should be lessened. The very least that should occur is that current staff should be utilized for the considerations detailed above.

### **4.3 Related Compliance and Programmatic Issues**

#### **Issue 4-6: IEP Meeting Membership and Allocation of District Resources.**

There is evidence that general education teachers are not consistently attending Individual Educational Program (IEP) meetings, and that some local education agency representatives (LEAs) are not remaining in the IEP conference in its entirety, thus allowing someone else to allocate district resources and make final decisions as to placements. There were also comments that some principals add services to the IEP to appease teachers who want additional help, rather than making team decisions based on the needs of the student and as specified in the IEP.

Some principals and case managers stated parents are requesting such services as a one-on-one assistant or specialized programming to be added to their child's IEP without supportive data that without the service their child would be denied a free appropriate public education (FAPE). While the district has a process in place for assigning one-on-one assistants, the process seems to be ineffective. MGT received reports that when requests are made, they are seldom denied.

#### **Considerations for Issue 4-6:**

- Ensure that a general education teacher is involved in the IEP meeting to the extent California law requires. The IDEA requires a general education teacher to be in attendance when it is appropriate, which is certainly when placement or reconsiderations take place.
- Ensure that a local education agency representative be in attendance at the IEP meeting to allocate district resources as required by IDEA 2004. Attending the meeting to sign-in and then leaving is a violation of the law and ethically inappropriate. In times of serious budget cuts, principals can be extremely helpful by monitoring the placement and IEP development processes so that not only are needed services applied, but that requests for services without appropriate data are not added. If principals are appropriately trained, they will be able to retain a collegial environment by merely asking for the appropriate data to support the request. Principals should be advised that it is inappropriate to make decisions outside of the committee and without parental participation.
- Hold principals accountable for special education resource allocations in their buildings.
- Include adherence to special education regulations in the school administration evaluation process.

**Cost Implications for Issue 4-6:**

There are no additional costs to the district for this recommendation.

**Issue 4-7: Physician Statements as Component of Multidisciplinary Evaluation and Provision of Special Education Related Services.**

Several principals stated during onsite interviews, focus group discussions, and school visits that one-on-one assistants are often recommended by a physician and the IEP team is conflicted as to what should be done. The district administrative staff report that additional special education assistant support is considered only after a thorough review of all pertinent data. Once the determination is made to add an assistant, the IEP team decides whether the assignment is for one-to-one or for extra classroom assistance.

During on-site visits and interviews, MGT consultants found that schools often make the mistake by acting upon a physician's recommendation without a careful review of all data. Schools are not consistently aware or may not consistently follow the district process increasing special education assistant support. While the physician's statement must be considered, but it is the IEP team's responsibility to guide the IEP process and review the data for determining the assignment of additional special education assistance support. Schools should consistently follow the district process for assigning special education assistants.

As a best practice, MGT has found that MDUSD maintains up-to-date procedural guidelines for assignment of additional special education assistant support. The district should further provide direct and consistent professional development and support to school-based teams, to improve the consistency in the decision-making regarding accommodations, special education services, and/or related services. As staff becomes knowledgeable and confident of rules and regulations, the more effective school teams can be in their procedural actions.

**Considerations for Issue 4-7:**

- Ensure that school teams are knowledgeable of and follow the procedural guidelines for the assignment of additional special education assistant support.
- Provide on-going staff development to school teams regarding determination of related services and supplemental aides and services, such as special education assistants.

**Cost Implications for Issue 4-7:**

The costs associated with implementation of this consideration are for staff time and professional development. The district should not incur any additional costs in the targeted schools if the professional development and district support are provided during the school day during planning periods, faculty meetings, early release days, or embedded staff

development in the classroom. If substitutes are required, the district costs would be \$120 per teacher per day. If professional development is provided after the school day, the district costs would be \$25 per hour per teacher.

**Issue 4-8: Measurable Goals and Case Management.**

The monitoring of IEP compliance is not effective or efficient. Based on the records review, while most IEP goals are measurable, they are not consistently documented.

The district has not had a consistent, computerized method of developing goals for IEPs. The process for monitoring IEP compliance and timelines in the district has been ineffective. The communications between the schools and the district have also been lacking. During onsite focus group discussions, interviews, and review of data, MGT found that the district office does not enter IEP compliance data into the student management system or provide accurate data reports to the schools in a timely manner.

MGT reviewed a random sample of IEPs during school visits. There were a number of records that were reported as out of compliance by the district office when, in fact, the schools had previously submitted the paperwork. This erroneous reporting is due to the inaccuracy or lack of timely entry of IEP information in the student management system. This ineffective system creates extra work for school staff, missed timelines, and inaccurate reporting.

There is, however, a districtwide effort to coordinate all IEP development, including measurable goals with student management software. The district staff are optimistic that the student management software will alleviate many of the challenges for monitoring special education timelines and student records.

Case management follow-through is cited by many as a problem. This manifests itself with placement decisions that are not managed in a timely fashion, thus delaying placements. Some decisions for transitioning students to the middle school are made at the elementary level without input. The result is an IEP that is more elementary-like without thought to students moving from class to class. This problem is further exacerbated if the student in the fifth grade enters the middle school without an inclusive approach in the elementary school.

The case managers are also the teachers for the students and require assistance from program specialists who are also serving up to 15 schools in some cases.

**Considerations for Issue 4-8:**

- Develop and implement an accurate and timely procedure for monitoring compliance of IEPs at the district office.

- Continue current efforts with the implementation of the student management software allowing the district to function from a consistent goal selection process using goals that are measurable.
- Establish a procedures document for case management. Assign a student caseload to school staff for case management duties. Hold the assigned case managers accountable to ensure adherence to IEP timelines.
- Include adherence to special education regulations and timelines in the evaluation of case managers.

**Cost Implications for Issue 4-8:**

Outside of the costs already incurred with the student management software initiative implementation, there are no additional costs to the district. Additional costs for implementation of this consideration relate to the development of a case management procedure and staff development for case managers in IEP compliance requirements and case management duties. If the staff development is provided during team meetings during the school day, there would be no additional costs incurred by the district.

**Issue 4-9: Management of Student Data and State Reports.**

Data on referrals and completed IEP submissions at the building level often do not match the data at the district offices. Through interviews, focus groups, and visits, many principals expressed frustration over directives that there were delinquent submissions that had already been forwarded on time. This created more work for each building administrative team to research the problem only to find out the mistake was on the district office side. Once the student management program is operating fully throughout the district, it is hoped that this problem will be alleviated and the required data will be readily available. This will also assist with state reports which have been, in the past, submitted in an untimely fashion.

Adherence to IEP timelines and case management should be school-based. Schools should maintain accurate data systems for tracking compliance timelines.

**Considerations for Issue 4-9:**

- Ensure that the district IEP data system is accurate and up-to-date. Refer to considerations for Issue 7-11 also.
- Provide accurate and timely compliance reports to schools regarding IEP and evaluation timelines.
- Hold building administrators accountable for adherence to IEP compliance and timelines.



**Cost Implications for Issue 4-9:**

There are no additional costs to the district for this consideration.

**Issue 4-10: Disproportionality of Placements in Special Education and Student Suspensions.**

The school district was cited on November 25, 2009, by the California Department of Education for disproportionality in placements for 2008-09. **Exhibits 4-6, 4-7, and 4-8** detail the district special education population and ethnic breakdowns.

The following categories were cited for disproportionality in placements for 2008-09: Overall representation - Asian (under-represented), Students with Autism-White (over-represented), Specific Learning Disability - Asian (under-represented), and African-American (over-represented).

**EXHIBIT 4-6  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
ENROLLMENT BY DISABILITY**

<b>DISABILITY</b>	<b>ENROLLMENT</b>
Mental Retardation	235
Hard of Hearing	92
Deaf	66
Speech/Language Impairment	1,577
Visual Impairment	34
Emotional Disturbance	387
Orthopedically Impaired	83
Other Health Impairment	369
Specific Learning Disabilities	1,572
Deaf/Blind	1
Multiple Disabilities	14
Autism	453
Traumatic Brain Injury	14
<b>Total</b>	<b>4,897</b>

Source: District CASEMIS data, 2009.

**EXHIBIT 4-7  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
ENROLLMENT BY GRADE AND ETHNICITY  
2008-09**

Grade	Native American	Asian	Pacific Islander	Filipino	Hispanic	African American	White	Total
Infant	0	2	0	1	15	2	14	34
Preschool	5	34	3	14	149	23	220	448
Kinder	1	9	0	8	47	7	88	160
One	2	14	3	9	93	21	147	289
Two	3	16	7	13	111	25	160	335
Three	2	20	3	7	118	28	174	352
Four	3	10	3	9	118	28	170	341
Five	3	12	4	10	113	30	163	335
Six	3	11	0	8	115	26	180	343
Seven	1	3	2	1	112	33	170	322
Eight	5	6	1	4	115	31	169	331
Nine	3	10	6	6	154	45	213	437
Ten	3	12	4	3	109	65	199	395
Eleven	2	14	7	4	85	36	173	321
Twelve	4	10	3	6	93	50	213	379
Other	1	6	1	3	15	6	42	74
Ungraded	0	0	0	0	1	0	0	1

Source: District CASEMIS data, 2009.

**EXHIBIT 4-8  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
ENROLLMENT BY ETHNICITY AND DISABILITY  
2008-09**

Disability	Native American	Asian	Pacific Islander	Filipino	Hispanic	African American	White	Total
Mental Retardation	3	12	2	8	70	29	111	235
Hard of Hearing	0	6	1	2	32	4	47	92
Deaf	1	9	1	2	27	1	25	66
Speech/Lang Imp	11	86	22	39	533	95	791	1,577
Visual Impairment	0	4	0	0	11	3	16	34
Emotional Disturb	3	3	1	5	80	56	239	387
Orthopedically Imp	1	3	0	2	20	2	55	83
Other Health Imp	3	8	3	9	74	36	236	369
Spec Lng Disability	15	27	14	13	634	211	658	1,572
Deaf/Blind	0	0	0	0	0	0	1	1
Mult Disabilities	0	1	0	2	3	1	7	14
Autism	4	29	3	23	75	15	304	453
Traumatic Brain Inj	0	1	0	1	4	3	5	14
<b>Total</b>	<b>41</b>	<b>189</b>	<b>47</b>	<b>106</b>	<b>1563</b>	<b>456</b>	<b>2,495</b>	<b>4,897</b>

Source: District CASEMIS data and Memorandum from the California Department of Education dated November 25, 2009.

A review of student suspension data shows that there were 557 elementary suspensions or 386 students in 2008-09. The schools that documented the greatest number of elementary suspensions include Bel Air, El Monte, Rio Vista, Shore Acres, and Sunrise.

**Exhibit 4-9** shows the high school suspensions by ethnicity. These data indicate disproportionate suspension rates for students who are African American at all schools and students who are Hispanic at all high schools with the exception of MDHS.

**EXHIBIT 4-9  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
HIGH SCHOOL SUSPENSIONS BY ETHNICITY  
2007-08**

SCHOOL	WHITE		AFRICAN AMERICAN		HISPANIC		ASIAN	
	TOTAL POPULATION	SUSPENSIONS	TOTAL POPULATION	SUSPENSIONS	TOTAL POPULATION	SUSPENSIONS	TOTAL POPULATION	SUSPENSIONS
CVHS	66	59	4	9	18	24	7	2
MDHS	18	17	14	24	53	48	5	2
CHS	57	51	4	7	26	35	6	1
CPHS	67	67	3	8	14	20	10	2
NGHS	68	67	2	16	8	13	18	3
YVHS	26	17	6	11	54	67	7	2

Source: MDUSD, Department of Pupil Services and Special Education, 2009.

**Exhibit 4-10** shows the middle school suspensions by ethnicity. These data indicate disproportionate suspension rates for students who are African American at all middle schools with the highest disproportionate suspension rates for African American students at Foothill, Pleasant Hill, and Riverview. The data further indicate disproportionate suspension rates for students who are Hispanic at Diablo View, Foothill, and Pleasant Hill.

**EXHIBIT 4-10  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
MIDDLE SCHOOL SUSPENSIONS BY ETHNICITY  
2007-08**

SCHOOL	WHITE		AFRICAN AMERICAN		HISPANIC		ASIAN	
	TOTAL POPULATION	SUSPENSIONS	TOTAL POPULATION	SUSPENSIONS	TOTAL POPULATION	SUSPENSIONS	TOTAL POPULATION	SUSPENSIONS
Diablo View	77	63	2	6	12	19	5	3
Foothill	60	57	2	11	3	22	15	8
Glenbrook	18	23	6	9	66	62	3	1
Oak Grove	12	12	5	14	72	67	1	5
Pine Hollow	53	67	5	6	27	17	7	4
Pleasant Hill	67	45	4	21	19	25	5	2
Riverview	15	6	18	59	58	33	NA	NA
Sequoia	52	47	4	5	27	37	11	5
Valley View	63	62	4	9	19	24	8	2

Source: MDUSD, Department of Pupil Services and Special Education, 2009.

When reviewing suspensions by ethnic distribution, MGT found that Hispanic and African American students had disproportionate rates of suspensions when compared to the total subgroup population.

**Considerations for Issue 4-11:**

- Review the referral, assessment, and placement processes for identified populations of disproportionality. It is suggested that these data be disaggregated by referral source and presenting problems. The district should further identify a remediation so no racial group is unfairly targeted for special education services.
- Work with schools with disproportionate or high suspension rates regarding alternatives to out-of-school suspension. The BEST program adopted by many schools in the district is an example of how schools have improved student discipline.

**Cost Implications for Issue 4-11:**

There are no additional costs to the district for this consideration, which can be implemented with existing resources and staff.

**Issue 4-12: Dispute Resolution Process, Local Mediation, and California Department of Education Complaints and Legal Expenses.**

In the period 2004-2009, for MDUSD there were 105 due process cases; 32 complaints registered to the California Department of Education; and 43 cases referred to local mediation. Requests for dispute resolution have decreased and issues have moved to local procedures as noted in **Exhibit 4-11**.

**EXHIBIT 4-11  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
IMPARTIAL DUE PROCESS, COMPLAINTS, AND LOCAL MEDIATION  
SCHOOL YEARS 2004-05 THROUGH 2008-09**

<b>YEAR</b>	<b>DUE PROCESS CASES CLOSED</b>	<b>DUE PROCESS OTHER STATUS</b>	<b>CALIFORNIA DEPT OF ED COMPLAINTS</b>	<b>LOCAL MEDIATION</b>
<b>2004-05</b>	32		6	
<b>2005-06</b>	15	14 Withdrawn/Dismissed	1	
<b>2006-07</b>	13	6 Withdrawn/Dismissed	10	
<b>2007-08</b>	31		7	28
<b>2008-09</b>	14	2 Open	8 (2 open)	15

Source: District CASEMIS data, 2009.

Based on district budget reports, there were \$750,000 of legal expenses for the special education department with an additional \$75,000 of other miscellaneous monthly legal

costs during the last year. There is concern that some expenses were duplicated because the bills were not properly reviewed before submitting the claim for payment. The Special Education Department attorney, in the opinion of some, may be performing duties (such as preparing individual notices and letters) that should be done locally within the department and by clerical staff.

**Considerations for Issue 4-12:**

- Implement consistent due process procedures and FAPE for students with disabilities to continue to decrease litigation and parent complaints against the district.
- Hire the MDUSD staff attorney to serve as legal counsel and litigate special education due process cases.

**Cost Implications for Issue 4-12:**

The staff attorney position is in the current budget.

**Issue 4-13: Special Education Procedural Handbook.**

The Special Education Procedural Handbook is out dated and does not reflect the current procedural directives from the Department of Pupil Services. The handbook is important to the day-to-day operation in the schools to ensure compliance with state and federal regulations as well as district procedures. Examples might include a reference to IEP requirements, evaluation timelines, and eligibility criteria for special education or procedures for requesting additional support for a student with a disability.

An up-to-date Special Education Procedural Handbook can be of benefit to administrators, teachers, and parents regarding the delivery of special education services in the least restrictive environment. The handbook could also ensure consistency of special education protocol and procedures throughout the district and within the schools.

**Considerations for Issue 4-13:**

- Update and maintain a Special Education Procedural Handbook.
- Provide ongoing, school-based training for administration and staff regarding special education compliance and procedures in the schools.
- Hold schools accountable for adhering to the compliance and procedural guidelines as outlined in the Special Education Procedural Handbook.

**Cost Implications for Issue 4-13:**

The Special Education Procedural Handbook can be updated by existing staff in the Department of Pupil Services and Special Education. There should be no additional costs for staff development if it is provided during the school day. Printing and distribution costs cannot be estimated at this time.

**4.4 Section 504 of the Rehabilitation Act of 1973**

**Issue 4-14: Section 504 Procedures, Forms, and Notification.**

MDUSD has comprehensive materials for the identification and location of individuals with disabilities that may be eligible under Section 504 of the Rehabilitation Act of 1973. The *Section 504 of the Rehabilitation Act of 1973: A Procedural Handbook for Educators* (draft) details what is required for school-aged students. The Handbook is well-presented and covers all eligibility and procedural possibilities.

Section 504 Notices, including the Compliance Plan, Parent Notice, and Notice of Procedural Safeguards, are all in place and communicated. Understanding of Section 504 responsibilities is so well documented and accepted that placements have increased each year. All buildings, programs, activities, and services appear to be accessible. There is no evidence of any policy, administrative guideline, or procedure that would in any way discriminate against an individual with a disability.

**Considerations for Issue 4-14:**

- Finalize the Procedural Handbook that includes amendments to Section 504 responsibilities and disseminate it to the staff. Add the Handbook to the district Web site for staff and public review and access. Post all required notices in public areas for the public and staff.

**Cost Implications for Issue 4-14:**

There are no additional costs to the district for this consideration, which can be implemented with existing resources and staff.

**4.5 District Special Education Compliance Self-Review**

**Issue 4.15: Compliance Issues Requiring Further Investigation.**

MDUSD recently completed a District Special Education Self-Review as required by the California Department of Education (CDE). Evidence of compliance issues indicate the following areas for further investigation:

- **Progress Reports** – 150 parent surveys and two parents at input meetings reported that they did not receive progress reports on IEP or Individualize Family Service Plan goals/outcomes at least as often as the regular report card schedule.
- **Program Options** – 193 parent surveys and eight parents at input meetings reported that the IEP team did not discuss how their child would participate in State and district testing.
- **Transition Services** – 151 parent surveys and one parent at an input meeting reported that the IEP team did not discuss transition services (i.e., career interests, employment, and high school classes) at the most recent meeting if their child will turn 16 years of age before his/her next IEP meeting.
- **Parent Involvement** – 103 parents reported that the school district did not facilitate parent involvement as a means of improving services and results for their child.

During onsite visits, MGT consultants interviewed parents on a number of occasions. Many parents interviewed consistently expressed concern regarding the lack of communication between the district office and the schools. While pertinent information may be provided to school administrators there seems to be a gap when relaying information to the classroom teachers. As previously mentioned in Chapter 2, the current organizational structure limits the direct support that the Department of Pupil Services and Special Education can provide to the schools. The special education program specialists are assigned up to 15 schools and work primarily on resolution of crisis situations rather than providing consistent, direct support to schools and teachers. This is evidenced by inconsistency in the quality of IEPs, adherence to timelines, knowledge of special education procedures, and communications with parents.

The Department of Pupil Services and Special Education maintains a Parent Liaison Office. A parent liaison is available to help parents navigate the educational system. The Parent Liaison Office also provides alternative dispute resolution (ADR) as an alternative to filing a legal complaint against the district. By report of staff and parents, the Parent Liaison Office staff and the ADR process have been effective in resolving disputes that may arise during an IEP or 504 Plan meeting.

**Considerations for 4-15:**

- As required by CDE, conduct further investigation of compliance issues related to progress reports, program options, testing, and parent involvement.
- Develop a procedural handbook for parents that summarizes special education processes, the special education continuum of services, procedural safeguards, and how to access further information or support.

- Continue to provide alternative dispute resolution services to parents and IEP teams.

**Cost Implications for 4-15:**

The costs for implementation of this consideration are related to staff time to further investigate the findings of district's special education self review. The procedural handbook can be developed during the work day at no additional cost to the district. The printing of the procedural handbooks is an additional cost which could be funded with IDEA funds. The actual costs for printing and distribution of the handbooks cannot be estimated at this time.



***5.0: PERSONNEL SERVICES  
AND PROFESSIONAL  
DEVELOPMENT***

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## **CHAPTER 5: PERSONNEL SERVICES AND PROFESSIONAL DEVELOPMENT**

This chapter provides information on issues related to Personnel Services and Professional Development. Hiring and development of staff has been affected by trying to meet educational demands in all areas. Securing highly qualified special education staff is a challenge in most school districts, but at Mt. Diablo Unified School District (MDUSD), there have been unique situations that have presented additional difficulty. Sections in this chapter include:

- 5.1 Personnel Services
- 5.2 Professional Development

This chapter should be viewed along with Chapter 2 District Operations and Associated Financial Effectiveness; Chapter 3 Service Delivery Options and Continuum of Services; Chapter 4 Policies, Procedures, and Compliance; and Chapter 5 *Spieler v. Mt. Diablo Unified School District*.

### **5.1 Personnel Services**

#### **Issue 5-1: Recruiting, Hiring, and Maintaining Highly Qualified Special Education Staff.**

The Personnel Services Department provides comprehensive services for recruiting, hiring and maintaining qualified staff, including special education staff. Postings for positions are related to the professional specifications (job descriptions) and there are documented efforts to recruit through job fairs and postings at California universities and colleges.

In an effort to make budget cuts, maintaining a highly qualified staff is often compromised. MDUSD has experienced difficulty over the past years in maintaining a highly qualified special education staff, evidenced in interviews and records reviews. Reductions in staff, especially those involving a change from a 1.0 full-time equivalent (FTE) present difficulties in locating a candidate desiring a part-time (less than 1.0 FTE) position. Position cuts add extra duties to already stressed administrators and teachers serving students with disabilities.

#### **Considerations for Issue 5-1:**

- In all postings for teachers, include certification and preferable experience in reading and/or special education, especially in the area of mild disabilities. This will allow co-teaching and greater flexibility of staff utilization.
- Be mindful of the struggles imposed upon building administrators to identify highly qualified staff if the position posted is for less than full-time, especially since highly qualified staff that are cut are more likely to move to another district.

**Cost Implications for Issue 5-1:**

There are no cost increases related to this consideration.

**Issue 5-2: Communication of Building Level Cuts in Staff.**

The communication of staffing cuts, especially reduction of special education teachers to less than a full-time equivalent, is oftentimes made late in the summer months, when finding a highly qualified and part-time replacement is difficult. Classes are reorganized and moved at the last minute, leaving the impression that the district staff does not know what it is doing.

**Considerations for Issue 5-2:**

- Include the principal in the discussion of reductions that affect their staffing and services to students. Include the principal in the staffing decision.

**Cost Implications for Issue 5-2:**

There are no cost increases related to this consideration.

**Issue 5-3: Professional Specifications.**

The special education professional specifications (job descriptions) are generally-stated. The professional specifications use terminology that is no longer appropriate (handicapped), appear to be out-of-date, and are constructed in different formats. For example, the description for “Traveling Teachers for the Visually Handicapped Program” details eight duties, but does not include training and experience required as does the Career/College Advisor job description.

**Considerations for Issue 5-3:**

- Ensure that professional specifications (job descriptions) detail authentic responsibilities that can be measured on a performance appraisal; detail competencies expected and working conditions; and clearly identify required training, experience, and certifications. It is suggested that all professional specifications follow the same format. The sample in **Exhibit 5-1** might be helpful.

**Cost Implications for Issue 5-3:**

There will be an investment in time for this consideration, but no additional cost to the district.

**EXHIBIT 5-1  
SAMPLE JOB DESCRIPTION FORMAT**

Position Title:	<b>Academic Coach for Low-Incidence</b>
Working Conditions:	Professional Office/Professional Attire
Supervisor:	Director of Special Education
Classification:	Certified
Salary:	As per the Agreement between the union and the district for 185-days
Performance Appraisal:	Authentic as per the professional specifications below conducted by the Director and/or designee with the input of appropriate building principals
Primary Functions:	<ol style="list-style-type: none"><li>1. Coordinates and supervises all placements in programs for the Moderate and Severely Mentally Impaired and Autism Spectrum Disorder.</li><li>2. Coordinates all assistive technology for the Department.</li><li>3. Coordinates all related services for students placed in programs under supervisory responsibility.</li><li>4. Chairs all conferences for programs under supervisory responsibility.</li><li>5. Trains building administrators in chairing conferences when and where appropriate for students supervised.</li><li>6. Interfaces as a member of a team with other Academic Coaches.</li><li>7. Provides training to specific staff, as needed relative to individual student needs.</li><li>8. Provides training for staff on Autism Spectrum Disorder as per Article 7.</li><li>9. Collaborates with the Transition Coordinator for all transition conferences for area of supervisory responsibility.</li><li>10. Provides at least two general trainings annually on areas of supervisory responsibility.</li><li>11. Manages all opportunities to showcase students under her supervision, (i.e. Parent University, etc).</li><li>12. Advocates for all students unable to advocate for themselves.</li><li>13. Works closely with the Parent Liaison Coordinator.</li><li>14. Provides support to general and special education teachers identifying appropriate resources, behavior management plans, ideas for remediation etc.</li><li>15. Other as Assigned and as Appropriate<ol style="list-style-type: none"><li>a. Manage all Alternate assessments (ISTAR, etc).</li><li>b. Collaborate with all matriculating seniors not receiving a high school diploma so they understand that Commencement will mean a Certificate of Achievement, instead of a high school diploma.</li><li>c. Other</li></ol></li></ol>

Source: *A Public School Manual* (2007), M. Livovich.

**Issue 5-4: Performance Appraisals.**

Performance appraisals (evaluations) are negotiated for certificated staff and nurses in the collective bargaining agreements between MDUSD; MDUSD and instructional assistants in the California School Employee Association (CSEA); and school psychologists in the MDUSD and Mt. Diablo School Psychologist Association contractual agreements. The schedule and format is dictated in each agreement. The certificated staff format, including nurses, but excluding school psychologists, is standards-based and not reflective of the professional specifications detailing daily tasks. The school psychologist format is different from the professional specification and is difficult to discern. The instructional assistant format is generally-stated and is not specific to the position. The evaluation forms seem to be low in expectations for this group of employees, whose importance is great in the classroom.

The performance appraisals for staff do not accurately reflect what they do and do not relate to the professional specifications.

**Considerations for Issue 5-4:**

- Ensure that performance appraisals (evaluations) are authentic to the professional specifications for each position, using common vernacular. The duties listed in the professional specification should be spelled out on the evaluation form to reflect authentically what is done.

**Cost Implications for Issue 5-4:**

Associated costs for implementation of this consideration relate to staff time. If the tasks are completed during the work day, the district would not incur any additional costs.

**Issue 5-5: Professional Specifications – Principals, Special Education Teachers, and Related Services Staff.**

Professional specifications for special education teachers and related staff do not clearly define tasks, establish priorities, or enumerate accountability. Some principals do not attend IEP meetings.

Special education teachers at the elementary level do not seem to embrace the collaborative/inclusive model and choose a more self-contained model instead. Some teachers in the collaborative model are used as assistants to the general education teacher in collaborative classrooms.

School psychologists have many responsibilities that take them away from assisting with referrals and serving on a multi-disciplinary assessment team.

**Considerations for Issue 5-5:**

- Review all professional specifications and modify the tasks to primary and secondary items. There is confusion as to the role(s) of many teachers, so specifying the roles into primary and secondary responsibilities may help.
- Include accountability in the professional specifications for principals.
- Offer an addendum for specialized teachers including duties that may not be a part of a General/Collaborative/Co-Teacher's specification. Indicate requirements for following the IEP and/or the Section 504 Plan, and that special education is a service (not a location) provided by certified staff, as determined in the IEP conference by professionals along with parents. Additionally, state the need for data for any placement of students in specialized services, and that it is their responsibility to teach the student to the state standards, unless specified differently, to prepare the student for the rigors of the next grade or advanced subject. Finally, it is vitally important that teachers understand the need for utilizing assessment data in the education of any child and to modify instruction ensuring that individual children understand the skills taught. Teachers must understand that if they modify instruction for all students, referrals will ultimately be reduced, thus leaving district resources for the common good.
- The school psychologists' professional specification should state that they serve as a member of the multi-disciplinary assessment team to determine eligibility for special education and to determine if a child remains eligible for services is a priority.
- Additionally, Personnel Services should develop all professional specifications in ADA style, listing working conditions and special skills that may be necessary, as previously shown in **Exhibit 5-1**. Specifications should always include the following phrase at the end of the document: *Other appropriate duties as assigned by the administration.*

**Cost Implications for Issue 5-5:**

There are no cost increases for the district.

**Issue 5-6: Professional Specifications – Instructional Assistant.**

There are a variety of classifications of instructional assistants that relate to differences in pay. The Contractual Agreement between MDUSD and the CSEA, Chapter 43 offers the following classifications for special education assistants (SEA):

- Special Education Assistant I/Classroom
- Special Education Assistant I/IEP
- Special Education Assistant II/Classroom

- Special Education Assistant II/IEP
- Special Education Assistant III/IEP

For example, SEA I/Classroom is the basic level instructional assistant. Additional duties, such as toileting, are a SEA II/Classroom classification. One-on-one assistants receive differential pay according to the student needs (i.e., SEA I or SEA II). Some SEA II assistants no longer perform the extra duties, but continue to be paid at the higher rate. There needs to be a way to discern when an SEA is no longer performing extra duties that relate to additional pay.

In addition, some principals expressed concern that instructional assistants often perform clerical tasks, especially on early release days.

**Considerations for Issue 5-6:**

- State in the instructional assistant job description that once the assistant is no longer performing SEA II duties they should be moved to a lesser classification and their pay should be adjusted.
- Realign the instructional assistant job descriptions to exclude instructional assistants from clerical work and assign them to work only with students, including placement in general education for math, English, and language arts responsibilities. Early release days should be used for the professional development of assistants, not for clerical duties.

**Cost Implications for Issue 5-6:**

There should be reductions in instructional assistant positions once the clerical duties are removed from the job descriptions. In addition, by monitoring the change in duties that facilitate a change in classification and a change in pay there should be cost reductions.

**5.2 Professional Development**

**Issue 5-7: Professional Development Opportunities.**

There is evidence of professional development opportunities offered to staff, parents, and members of the community. Board policies 4112.23 and 4331 require “ongoing professional development.” The district lacks a comprehensive approach to the provision of special education staff development. In the past year, the emphasis in professional development has been on behavioral supports, legal issues, and promoting social competencies (such as conflict resolution, manners, and social etiquette). Previous years also devoted time to autism strategies. There have not been development opportunities on furthering the collaborative approach, reading or mathematics strategies in the general education classroom, or general behavior management. Effective strategies for general

education teachers to ensure the success of the majority of students are not evidenced in the training logs.

A professional development institute was offered in August before the start of the 2009-10 school year and most of the 160 participants agreed that the opportunities were beneficial. The following professional development opportunities were offered in calendar year 2009:

- Promoting Positive Classroom Behavior – January 7, 2009.
- Promoting Social Competence: Effective Strategies for Busy Teachers – January 8, 2009.
- Legal Training with Elizabeth A. Estes – January 22, 2009.
- Behavior Health Specialist Training: Tips, Tricks, and Cautionary Tales – August 12, 2009.
- New Psychologist and Behavior Specialist Orientation – August 17, 2009.
- Psychologist and Behavior Health Specialist Staff Retreat – August 27, 2009.

Principals indicated there was a recent Section 504 training, with attendees indicating the workshop was both “informational and valuable.”

**Considerations for Issue 5-7:**

- Provide continuous training on effective techniques for collaboration between general and special education teachers. There is a need to promote methodology and best practice in reading, writing and oral skills, and mathematic competencies. Ongoing training in behavioral sciences should also be provided for all staff, especially the generalists and specialists serving students in the general education classroom.
- Provide training in a variety of modes and mediums. Optional trainings should be provided at a certain location available to staff. This training should be offered after school hours so as to save substitute costs, and should be recorded for linkage to the district Web site. Staff would be required to view and take a short competency assessment for each skill targeted for development. There should be a record of the Internet training provided, along with the assessment results. Instructional Assistants can be provided professional development on early release days.
- Consider a continuum of special education staff development. Provide emphasis on embedded staff development for teachers at the schools by curriculum and compliance specialists. Utilize subject area, grade level, and faculty meetings to



provide professional development related to data-driven instruction, standards-based curriculum and IEP goals, as well as collaborative instruction.

- Training can also be provided at cost to the district through training service suppliers.
- Each building should develop professional learning communities where professional development opportunities are discussed and implemented locally. Research on professional development suggests that in order for the opportunities to be effective they need to be put into practice within 72 hours of the training. A commitment is needed from the staff to improve their skills and immediately use the information and skills gained.

**Cost Implications for Issue 5-7:**

Training conducted by district staff will be at little or no cost to the district because there is competence on the staff that can meet the professional development needs. Training completed by staff may be at some cost to the district depending on implementation (see Issue 6-10 for cost-effective methods of delivering professional development). If the district works with a training supplier, there will be a cost for each staff member trained and assessed.

**Issue 5-8: Off-Site Meetings and Professional Development.**

During onsite focus group discussions and interviews, a number of interviewees expressed that staff are off-site too often for meetings and professional development.

Training of staff members is essential, and there will be times when staff are off-site. It is important that there is a designee to make decisions in times of difficulty, and that there is proper supervision of staff. Meeting together is also important as it builds camaraderie and team building. Administrative staff cannot function alone and must have the contact with colleagues at various times of the year.

Most responsibilities of administrators and teachers require their daily attendance. Teachers absent from their classrooms can cause serious harm to students, especially those needing constancy and structure. A substitute can manage the day, but oftentimes does not move lessons along. Teachers need the same support of colleagues as was expressed by the special education focus group. Although it is beneficial to be a member of a building team, it is beneficial for specialists to gather to discuss common concerns and to share successes. General education teachers have this opportunity daily with colleagues.

**Considerations for Issue 5-8:**

- Determine a method of communication where informational items are shared in different mediums.

- Meet with smaller groups in feeder patterns.
- Offer early morning breakfast meetings rotating to different schools.
- Record sessions and place the information on the district Web site for viewing at will.
- Send information electronically.
- Training can be provided in a variety of cost-effective forums as well.
  - Offer training at a site after school hours and record it.
  - Establish a training link on the district Web site so that it may be viewed at will. Add controls to determine who has completed required training, and a post-course assessment.
  - Training can be purchased from a training supplier.
  - If the program specialist positions are not eliminated, it is recommended their positions be changed to be academic coaches to provide in-classroom training for collaboration and co-teaching. These individuals need to be specialists in reading and mathematics strategies and be able to teach adults.

***Cost Implications for Issue 5-8:***

Training conducted by district staff will be at little or no cost to the district because there is competence on the staff that can meet the professional development needs. Training completed by staff may be at some cost to the district depending on implementation. If the district works with a training supplier, there will be a cost for each staff member trained and assessed.

***6.0: SPIELER V. MT. DIABLO  
UNIFIED SCHOOL DISTRICT***

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## **CHAPTER 6: SPIELER V. MT. DIABLO UNIFIED SCHOOL DISTRICT**

This chapter provides information on issues related to the Consent Decree relative to *Spieler v. Mt. Diablo Unified School District*.

Granted as a result of inadequate special education programs ten years ago, the Consent Decree has met the challenges put forth, but may have gone beyond what is expected of other districts in the state. Further, programs have been created very quickly in an effort to demonstrate compliance that do not have the support or respect of the entire administration. It is clear there has been oversight for the Consent Decree and that all of the MDUSD educational facilities, as well as the Student Services Department, have worked hard to comply with and honor the spirit of the order. There can be no question as to the effectiveness of the programs created under the Consent Decree, as many programs are now considered models for other schools in California.

The Consent Decree will be met on May 24, 2010. This chapter should be viewed along with Chapter 2 District Operations and Associated Financial Effectiveness; Chapter 3 Service Delivery Options and Continuum of Services; and Chapter 4 Policies, Procedures, and Compliance.

### ***Spieler v. Mt. Diablo Unified School District* Consent Decree**

A class action discrimination suit brought by parents of students with disabilities (*Spieler*) against the Mt. Diablo Unified School District in 1998 “alleged that the District denied disabled children equal access to school buildings and educational and social programs and prevented them from attending their neighborhood schools”.<sup>1</sup> Twenty million dollars was committed over ten years to ensure access for over 5,000 students with disabilities in 55 schools. According to the Disabilities Rights Advocates Web site, “The Consent Decree also reforms the District’s special education system, with policies supporting the integration of disabled children into all educational and social programs, Mt. Diablo Unified School District has created three new programs to benefit disabled students: a Model Augmentative Communication Program for children who need assistive technology, a Model Aide Training Program to train classroom aides to assist children with disabilities, and a full-time Parent Liaison to assist parents to navigate the special education system.”

The court-appointed administrator of the process has been forthright in providing a Status Report of all 22 corrective action plans, detailed below.

The district has been greatly influenced by the *Spieler v. Mt. Diablo Unified School District* Consent Decree. While the district has implemented several model programs, there are parents in disagreement with district attempts to serve students. The federal government requires “maintenance of fiscal effort” on the part of the local district because special

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<sup>1</sup> [www.drlegal.org/cases/education](http://www.drlegal.org/cases/education).

education funds provided by Congress will never meet all of those needs. States try to make up the difference, but this, unfortunately, is not happening anywhere in the country. Local governments have no choice but to assist, but concerns were expressed in interviews as to whether the encroachment for Mt. Diablo has been too high.

Nationally, all state and local education agencies are required to follow the federal legislation (Individuals with Disabilities Education Act). All states submit a special education plan to the U.S. Department of Education and direct local districts do the same. Many of the states' regulations, as is the case in California, exceed federal requirements. This is not uncommon, but in the case of MDUSD, the solutions have distinguished themselves as "best practice."

Many of the MDUSD programs developed over the past ten years are considered best practice and are models for other school districts. The three new programs established as a result of the Consent Decree also have their weakness: funding. The expected \$20 million commitment over ten years has expanded to a \$34 million encroachment in the district's General Fund for budget year 2009 alone. Special education in MDUSD costs the district approximately \$60 million and over one half of the district's maintenance of fiscal effort is from the General Fund.

MDUSD has undergone serious budget cuts over the past three years, and is now experiencing difficulty retaining even basic programs. The majority of students served in programs for mildly disabled do not perform well on state competency tests. The district is experiencing a great influx of Hispanic students with English deficiencies and cultural differences that appear to present challenges for many schools. The Model Augmentative Program has established "specialty" programs in certain areas requiring almost four hundred students to be bused outside their neighborhood school—some a great distance from their home. The Model Aide Training Program has resulted in almost 70 students having one-on-one assistants (aides) committed in the student IEP, which has social implications for the child as well as financial implications for the district. The full-time Parent Liaison position has undergone turnover in early 2009. The Parent Liaison has attended an array of meetings, community events, and training workshops to remain aware of the current needs of students and families.

The issues affected by this plan, as discussed above, are detailed in Chapters 4 and 6 of this report. Issues relative to this chapter are in the form of "plans" as cited in the Consent Decree and prepared by the district's court appointed Consent Decree administrator. Most issues within the plan are compliant. The following is a summary of the 22 Corrective Action Plans with recommendations prepared by the Consent Decree liaison. MGT supports these considerations.

**Plan 1: Board of Education—Compliant**

**Consideration:** The student management software needs to be fully implemented.

**Plan 2: Administration—Compliant**

**Consideration:** Purchase of TTD's for each school, although commendable, seems excessive and costly.

**Plan 3: Student Services—Compliant**

**Plan 4: Parent Services—Compliant**

The Parent Information Center is used as a parent meeting center. Thirty-four meetings have been held with the participation of the Parent Liaison.

**Consideration:** It is recommended that the Parent Liaison continue to assist with bilingual services (English and Spanish) and transition to help the Hispanic population integrate into the culture of the district.

**Plan 5: Personnel—Compliant**

Budget cuts have presented challenges in maintaining fully qualified staff. Some have left the district and there has been difficulty finding qualified replacements.

**Consideration:** Budget cuts must begin with the end in mind, by identifying district priorities first. Budget cuts that hurt students defeat the purpose of the educational system.

**Plan 6: Testing—Compliant**

**Consideration:** There are concerns that there are not enough psychologists, and that assessments are not completed within the 60-day statutory limit. This must be corrected immediately.

**Plan 7: Transportation—Not compliant**

The agreed-upon 75-minute maximum one-way transportation time is being exceeded.

**Consideration:** Transportation continues to be an issue, especially with the length of the ride(s) for certain students (34). The district should consider feeder patterns for students and for programming to reduce the length of the transportation. Also, students needing the related service of transportation should be limited to those who are served outside of their home (neighborhood) school or those whose disability is such that the regular bus is not appropriate.

**Plan 8: General Curriculum—Compliant**

- Secondary programs consistently offer collaborative "inclusive" programs.

**Consideration:** Secondary programs offer collaborative programming, but many of the elementary schools do not. Student attending inclusive, collaborative programs tend to score higher on state competency tests than those at schools with a more self-contained model. Schools retaining a self-contained model teach students at their functioning level, but test them at grade level. This model is not effective and is a violation of IDEA. The district should immediately initiate a collaborative model in all elementary schools.

- Alternative Education

There are concerns about the length of time it takes to place a student in the alternative program. Concerns also persist in its effectiveness, so some principals stated a reluctance to place students in this program.

**Consideration:** Review the alternative education program and make immediate recommendations for its modification. The district should seek the input of the building administrators the program serves.

**Plan 9: Title I Programs—Compliant**

**Plan 10: Gifted and Talented Programs—Compliant**

**Plan 11: Athletics—Compliant**

**Plan 12: Special Education Administration—Compliance Ongoing**

Progress is being made in collaborative programs. In high school diploma track classes, improvement is still needed by the court-appointed administrator.

IEP construction and implementation present concerns that timelines are not being followed consistently. This could be due to budget cuts of teachers who serve as the case managers. Initial referrals are their responsibility, along with the school psychologists, and if they are over the 60-day timeline, they are non-compliant. There is evidence of referrals extending beyond the state and federal timeline limit.

**Considerations:** Continue to provide professional development and direction for each high school and the collaborative approach. Also, realign the duties of the school psychologists to establish assessment as a priority above other qualitative duties.

**Plan 13: Section 504 Coordination—Compliant**

MDUSD procedures are best practice and a model for other districts. The court-appointed administrator suggests the number of Section 504 placements continues to be low.

**Consideration:** If the buildings modify instruction for all students, there may be a reduction of Section 504 (and special education) referrals.

**Plan 14: Site-Sponsored Activities—Not compliant**

There is evidence that not all elementary schools are utilizing a collaborative model.

**Consideration:** All elementary schools must embrace the inclusive "collaborative" model where all students, unless their IEP specifies otherwise, are educated in their age-appropriate general curriculum.

**Plan 15: Extra-Curricular Activities—Compliant**

**Consideration:** Ensure that all physical education teachers and athletic coaches understand the requirements of Section 504 and special education and that they are provided a copy of the respective plan, especially if there is a behavior management plan.

**Plan 16: Water Environment Studies—Compliant**

**Plan 17: Adult Education—Compliant**

**Plan 18: Alternative Dispute Resolution—Compliant**

**Consideration:** Accurate data is needed for all services that are added to the IEP. Additionally, the district needs to be willing to defend their programs that meet the requirements of the law.

**Plan 19: Transition from School to Work and Adult Life—Compliant**

**Plan 20: Special Education Assistant Training—Ongoing.**

**Consideration:** If training is provided virtually, candidates can gain information and competency in skills on their own time. Provide the training in person and record it for placement on the Web site (see Chapter 9, Personnel Services and Professional Development).



**Plan 21: Communication—Compliant**

Public input sessions continue to be a major concern with parents.

**Consideration:** Parents need to be reassured and shown that the district intends to follow California and federal law.

**Plan 22: Assistive Technology/Augmentative Alternative Communication—Compliant**

**Overall Consideration:** It is recommended that the district respond to budget cuts by paring programs to California requirements.

In summary, the Consent Decree has met the challenges put forth. It is clear there has been oversight for the Consent Decree and that all of the MDUSD educational facilities, as well as the Student Services Department, have worked hard to comply with and to celebrate the spirit of the order. The district will need to continue to review the challenges of the Consent Decree and take appropriate measures to continue compliance with state and federal regulations.

***APPENDIX A: SURVEY  
RESULTS***

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**APPENDIX A  
SURVEY RESULTS  
MT. DIABLO UNIFIED SCHOOL DISTRICT**

**Total responses for Central Office Administrators = 24  
Total responses for Principal/Assistant Principals = 62  
Total responses for Special Education Teachers = 116  
Total responses for General Education Teachers = 402  
Total responses for Support Staff = 54**

MGT uses a statistical formula to set an acceptable return rate in order to declare that the survey results are “representative” of the population surveyed. In the case of Mt. Diablo Unified School District, response rates for general education exceeded this standard; all other survey groups were below the standard.

**EXHIBIT A-1  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART A: ADMINISTRATION	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The school division adequately implements policies and procedures for the administration and coordination of special education.	71/8	82/11	56/30	49/16	77/9
2. The school division adequately recruits quality special education staff.	80/4	62/20	48/24	46/25	67/11
3. The school division adequately retains quality special education staff.	46/29	46/28	37/42	34/34	53/28
4. The current special education organizational structure adequately supports the continuum of special education services.	46/33	70/17	35/44	32/31	76/13
5. The collection and reporting system for special education student performance data is adequate.	33/37	59/17	48/28	34/18	59/11
6. Special education programs are appropriately monitored for compliance and quality assurance.	34/37	76/11	51/24	34/16	61/9

**EXHIBIT A-1 (Continued)  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART A: ADMINISTRATION	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
7. Special education decisions that impact my work responsibilities are handled in a timely manner.	63/21	56/23	40/43	47/29	78/13
8. I have adequate information and training to make effective decisions regarding students with disabilities.	83/4	67/20	71/21	47/30	90/6

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-2  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES	(%A + SA) / (%D + SD)				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. Community agencies are involved in the prereferral process.	50/8	41/11	40/10	24/9	68/6
2. School staff receive adequate staff development related to the prereferral process.	33/17	44/22	39/34	32/31	50/15
3. The general education intervention process effectively supports the general classroom teacher with instructional interventions.	41/41	47/31	40/37	33/37	60/17
4. The general education intervention process effectively supports the general classroom teacher with behavioral interventions.	33/46	43/41	31/43	28/47	52/24
5. The prereferral interventions are adequately documented to determine their effectiveness.	21/41	47/19	36/26	31/21	47/28
6. The prereferral process is timely and comprehensive.	21/29	44/20	39/24	27/26	63/11

**EXHIBIT A-2 (Continued)  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
7. The general education intervention process effectively reduces the number of referrals for student evaluation.	50/25	59/14	35/21	25/23	52/19
8. The school principal or designee ensures that a referral process for special education supports and services is implemented.	63/4	82/11	57/15	49/13	72/6
9. The referral process is timely and comprehensive.	54/13	68/17	49/18	30/25	76/7
10. The evaluation and eligibility determination process for special education is timely and comprehensive.	63/17	72/15	59/18	31/26	89/6

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-3  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART C: RELATED AND SUPPORT SERVICES	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The process for determining each student's related and support services, including the number and length of sessions and the location of the services, is clearly defined and consistently followed.	50/17	67/10	65/22	37/16	76/9
2. The related service providers are knowledgeable and contributing members of their students' school-based teams.	67/0	79/10	87/4	60/8	94/2

**EXHIBIT A-3 (Continued)  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART C: RELATED AND SUPPORT SERVICES	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
3. The process for determining the level of support that students receive from paraprofessionals is clearly defined and consistently followed.	21/46	56/20	52/28	31/19	54/21
4. Related services, including paraprofessional support, are provided consistently as scheduled.	37/17	65/11	73/18	48/14	85/2
5. The process for determining each student's specialized transportation needs is clearly defined and consistently followed.	55/4	55/8	62/10	25/3	65/10
6. The process for determining each student's extended school year needs, including eligibility and program description, is clearly defined and consistently followed.	54/30	65/6	65/16	28/6	70/10
7. The extended school year program is effective in addressing students' needs and in preventing significant regression for the students who attend.	42/25	49/8	45/24	21/10	59/13

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-4  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

<b>PART D: EARLY IDENTIFICATION/CHILD FIND PROCESS</b>	(%A + SA) / (%D + SD) <sup>1</sup>				
	<b>CENTRAL OFFICE ADMINISTRATORS</b>	<b>SCHOOL PRINCIPALS</b>	<b>SPECIAL EDUCATION TEACHERS</b>	<b>GENERAL EDUCATION TEACHERS</b>	<b>SUPPORT STAFF</b>
1. The school division has an early identification/child find process in place.	92/0	53/5	55/5	28/10	81/2
2. The school division works collaboratively with other agencies to identify children with disabilities.	75/0	50/0	38/5	27/6	76/2
3. Early intervention services are provided in natural environments.	75/0	36/3	36/4	25/5	74/0
4. The early identification/child find process includes a multidisciplinary team.	79/0	40/3	46/4	31/4	85/0
5. Parents are involved in the early identification/child find process.	83/0	45/2	48/3	37/3	83/4
6. The early identification/child find process is timely and efficient.	67/0	28/3	28/5	18/11	76/2
7. School staff receive adequate staff development related to the early identification of children with disabilities.	42/4	24/23	23/18	19/31	52/15

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-5  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART E: CURRICULUM AND INSTRUCTION E.1: ACCESS TO GENERAL EDUCATION CURRICULUM AND INSTRUCTION	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. Students with disabilities have adequate access to general education curriculum.	76/17	89/5	77/16	83/5	83/6
2. Modifications and/or accommodations to the general education curriculum are adequately provided and documented for students with disabilities.	54/25	78/11	61/24	68/14	82/8
3. General education and special education staff implement co-teaching and other instructional strategies that support inclusion of students with disabilities.	71/16	67/16	55/25	61/19	78/4
4. Student data are available to document adequate academic performance of students with disabilities.	63/17	84/7	74/9	67/7	87/0
5. General education assessment data are used for instructional planning for students with disabilities.	58/8	82/4	66/14	61/6	73/0
6. Instructional technology is adequately incorporated into instruction of students with disabilities.	33/25	59/12	50/25	38/21	65/9
7. General education teachers receive adequate staff development regarding the instruction of students with disabilities.	13/50	23/47	24/66	30/41	30/35
8. Special education teachers receive adequate staff development in cooperative planning and instruction.	29/42	37/38	36/47	24/19	57/19
9. General education and special education teachers have adequate resources for the instruction of students with disabilities in the general education setting.	25/54	48/30	33/55	30/38	49/12
10. General education and special education teachers have adequate time for collaborative planning.	17/75	27/53	19/68	14/67	20/44

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.



**EXHIBIT A-6  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

<b>PART E: CURRICULUM AND INSTRUCTION E.2: ALTERNATIVE CURRICULUM AND INSTRUCTION</b>	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The school division maintains agreements with business/community partners for community-based training opportunities.	55/0	23/5	24/7	13/7	42/2
2. The Individual Educational Plan (IEP) adequately reflects alternative curriculum strategies.	50/21	57/11	52/11	48/13	65/6
3. The Individual Educational Plan (IEP) adequately reflects assessment strategies.	54/17	73/8	59/13	52/12	77/2
4. Teachers receive adequate staff development related to alternative curricula and assessment techniques.	17/55	29/38	24/52	21/48	28/17
5. Support staff receive adequate staff development related to alternative curricula and assessment techniques.	4/51	28/32	21/53	15/24	48/19
6. Administrators receive adequate staff development related to alternative curricula and assessment techniques.	8/67	27/49	19/27	14/10	30/17

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-7  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART E: CURRICULUM AND INSTRUCTION E.3: TRANSITION SERVICES	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. Adult/community/vocational education is made available to students with disabilities.	96/0	58/0	41/3	26/3	72/2
2. GED exit option is available to students with disabilities.	84/4	42/0	34/2	24/1	49/4
3. Postsecondary options are adequate for students with disabilities upon exit from the school division.	54/21	39/5	24/10	17/4	52/7
4. Articulation agreements for postsecondary options are available for students with disabilities.	54/4	31/3	19/6	13/2	43/0
5. The transition plan accurately reflects the transition from school to postsecondary outcomes.	50/12	35/5	26/6	14/3	50/6
6. Technology is adequately used to assist with the transition process.	21/25	19/5	15/11	10/4	37/6
7. Teachers receive adequate staff development related to transition services.	33/25	22/14	16/17	8/20	24/17
8. Support staff receive adequate staff development related to transition services.	25/25	16/14	7/21	8/9	28/15
9. Administrators receive adequate staff development related to transition services.	13/42	18/22	9/14	7/4	35/9
10. The school division maintains agreements with business/community partners for community-based training opportunities.	63/0	24/2	18/3	10/3	43/2

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-8  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART F: PARENT SERVICES	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The school division identifies parent services goals, objectives, and activities for implementation.	62/13	53/8	45/11	34/6	57/4
2. Parents are appropriately informed of <i>Individual with Disabilities Education Act</i> procedural safeguards.	92/4	93/2	90/1	67/1	98/2
3. The school division adequately provides resources and information to parents.	84/4	79/6	74/9	52/6	89/4
4. The school division maintains an annual calendar of parent education and training opportunities.	71/8	70/3	72/6	37/2	78/2
5. Parents are encouraged to participate as partners in the educational process of their child.	96/0	89/0	91/2	74/2	96/4
6. Parent support services are available in the community for parents or families of students with disabilities.	87/0	71/0	74/4	42/2	89/4
7. Technology is used to improve or enhance services to parents.	42/13	50/5	35/10	32/6	50/4
8. Instructional staff receive adequate staff development related to parent services.	29/25	38/21	23/46	19/24	50/17

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-9  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

<b>PART G: DISCIPLINE</b>	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The school division has administrative policies or procedures regarding discipline of students with disabilities.	96/0	93/0	67/14	42/14	82/6
2. Mental health services are available to support students with disabilities whose disability impacts their ability to comply with discipline policy.	92/4	68/18	71/11	43/17	89/0
3. Multi-agency interventions are adequately used for students with disabilities who do not comply with discipline policy.	80/4	52/20	44/21	23/16	72/2
4. School staff receive adequate staff development related to discipline of students with disabilities.	55/21	38/40	26/50	16/51	52/22

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-10  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART H: FINANCIAL MANAGEMENT	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	38/26	43/6	20/19	15/11	37/4
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	34/25	33/26	20/22	13/14	24/6
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	37/30	33/12	18/19	13/12	28/4
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	4/42	26/27	16/26	8/15	19/8
5. The school division efficiently and effectively spends special education funds.	33/34	30/17	14/27	8/22	27/10
6. Most schools spend allotted special education funds efficiently and effectively.	33/12	41/7	27/14	13/11	35/2
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	21/8	14/5	21/7	5/4	23/2
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	17/34	10/18	9/13	4/6	19/2
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	33/21	21/8	12/15	10/8	21/0
10. The budget development process provides an effective format for addressing special education needs.	21/34	17/11	10/15	8/8	15/2

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-11  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART I: OUT-OF-DIVISION PLACEMENTS	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The intervention process is adequately documented to determine the effectiveness of out-of-division placements.	21/21	28/5	24/11	10/5	41/10
2. The evaluation and eligibility determination process for placement in special education programs in our school division is timely and comprehensive.	50/17	43/10	48/17	15/10	76/4
3. The collection and reporting system for special education student performance data is adequate for out-of-division placement.	21/17	23/4	19/13	8/5	40/4
4. Out-of-division special education programs are appropriately monitored for compliance and quality assurance.	17/17	10/7	11/7	6/3	28/9
5. The criteria used for determining out-of-division placements of students with disabilities are clear and consistent.	37/21	19/13	15/20	6/5	39/13
6. The appeal process for challenging an out-of-division placement needs improvement.	25/4	7/6	13/4	6/2	10/4
7. The process used to determine whether or not to litigate a challenge to a denial of out-of-division placement is appropriate.	21/12	8/5	10/6	5/2	11/6
8. Out-of-division placements and services are more cost-effective than establishing in-division programs.	4/42	3/14	5/21	4/7	6/41
9. The present transportation plan for out-of-division students is too costly.	30/4	11/2	22/1	12/0	17/4
10. Students in out-of-division placements have more opportunities for academic and personal success in meeting IEP goals than they would have in in-division placements.	4/25	6/18	9/17	6/7	9/41

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-12  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART J: HOMEBOUND PLACEMENTS OR ALTERNATIVE SITE PLACEMENTS	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. The collection and reporting system for special education student performance data from homebound/alternative site placements is adequate.	25/21	9/5	18/10	8/5	24/15
2. Special education services for homebound/alternative site placements are appropriately monitored by the school division for compliance and quality assurance.	29/21	10/8	19/7	9/4	28/7
3. The school division works collaboratively with other agencies to identify services for children with disabilities in homebound/alternative site placements.	38/0	23/0	21/5	10/1	45/4
4. Our staff receive adequate staff development related to the homebound/alternative site placement needs of children with disabilities.	17/21	9/26	12/29	6/19	26/23
5. The criteria used for determining homebound/alternative site placements of students with disabilities are clear.	38/21	14/20	18/21	7/8	32/17
6. The appeal process for challenging a homebound/alternative site placement needs improvement.	17/16	5/4	11/3	6/1	9/9
7. The process used to determine whether or not to litigate a challenge to a denial of homebound/alternative site placement is appropriate.	17/17	2/5	5/4	5/1	10/2
8. The present transportation plan for homebound/alternative site students is too costly.	4/0	3/4	8/3	8/2	6/4

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-13  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART K: SPECIAL EDUCATION PROGRAM FUNCTION	(%Major+%Some)/(%Adequate+%Outstanding) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. Budgeting	67/17	44/14	51/9	37/5	33/30
2. Strategic planning	79/8	52/29	54/16	36/12	17/45
3. Curriculum planning	67/29	48/37	63/28	43/19	24/45
4. Financial management and accounting	71/13	34/20	39/9	31/5	17/30
5. Community relations	33/63	27/56	39/37	30/18	19/63
6. Program evaluation, research, and assessment	50/33	29/43	50/31	33/18	21/57
7. Instructional technology	42/46	38/39	55/29	37/19	19/54
8. Pupil accounting	29/37	28/35	23/42	20/21	7/48
9. Instructional coordination/supervision	41/38	41/42	44/40	31/26	9/60
10. Instructional support in general education classrooms	63/25	55/37	58/34	53/25	23/56
11. Federal program resources	46/17	17/20	26/14	17/7	8/24
12. Curriculum development	62/25	43/39	54/32	36/21	15/50
13. Service coordination with general education	55/42	50/34	59/29	46/22	23/54
14. Personnel evaluation	46/33	30/53	26/58	18/26	21/58
15. Staff development	63/37	62/28	70/27	53/21	32/66
16. Pupil transportation	50/33	29/44	30/38	9/24	19/48
17. Parent education	25/66	30/52	32/56	22/23	19/74
18. Facilities access for students with disabilities	8/83	12/74	20/69	9/46	8/83
19. Mediation services	8/71	13/44	17/39	9/19	11/48
20. Student identification process	21/66	26/64	27/56	33/26	7/85
21. Pre-referral intervention	34/46	35/48	27/42	30/23	30/59
22. Individual Education Plan Development (IEPs)	25/67	20/73	24/74	25/48	11/89
23. Annual review process	21/63	17/71	17/76	15/44	6/84
24. Parent communication	21/66	21/65	25/69	18/41	15/82
25. Guidance services	21/54	29/35	21/46	22/24	17/46
26. Occupational therapy	4/83	17/59	19/69	14/30	6/74
27. Physical therapy	4/75	16/50	11/57	11/25	6/67
28. Counseling	33/50	53/28	43/41	35/21	25/61
29. Psychological services	25/58	54/30	42/51	35/24	19/74
30. Speech and language services	25/71	20/64	32/64	17/42	17/80
31. Out-of-division placement and services	41/21	8/14	19/18	8/7	11/35
32. Home bound and alternative site placement and services	29/33	9/17	10/19	10/8	17/37

<sup>1</sup>Percent responding Needs Major Improvement + Needs Some Improvement/Percent responding Adequate or Outstanding. The don't know responses are omitted.



**EXHIBIT A-14  
COMPARISON OF SURVEY RESPONSES  
WITHIN MT. DIABLO UNIFIED SCHOOL DISTRICT**

PART L: DUE PROCESS AND MEDIATION	(%A + SA) / (%D + SD) <sup>1</sup>				
	CENTRAL OFFICE ADMINISTRATORS	SCHOOL PRINCIPALS	SPECIAL EDUCATION TEACHERS	GENERAL EDUCATION TEACHERS	SUPPORT STAFF
1. Administrators and teachers receive regular updates on changes to IDEA and other governing rules and regulations.	54/12	64/15	45/34	20/24	69/11
2. Administrators and teachers receive specific training related to special education due process procedures.	46/21	50/23	29/56	16/37	52/19
3. The division provides technical assistance to teachers and administrators participating in due process procedures.	75/8	44/14	18/21	15/19	44/10
4. The division emphasizes problem solving/settling disputes at the school level rather than through due process.	71/12	72/3	51/10	27/6	74/2
5. The division is adequately represented by legal counsel at due process proceedings.	75/4	56/3	28/5	16/2	58/2
6. Parents receive explanation of all due process rights and a copy of procedural safeguards at IEP meetings and eligibility determination meetings	88/0	86/4	80/4	56/1	95/2
7. Parents receive written notification of IEP meetings.	88/0	93/0	94/2	74/0	98/0
8. Parents are informed and provide written consent before each evaluation or reevaluation.	88/0	91/2	92/1	60/1	99/0

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-15  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART A: ADMINISTRATION</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education.	71/8	60/36
2. The school division adequately recruits quality special education staff.	80/4	50/32
3. The school division adequately retains quality special education staff.	46/29	46/34
4. The current special education organizational structure adequately supports the continuum of special education services.	46/33	44/33
5. The collection and reporting system for special education student performance data is adequate.	33/37	23/36
6. Special education programs are appropriately monitored for compliance and quality assurance.	34/37	57/21
7. Special education decisions that impact my work responsibilities are handled in a timely manner.	63/21	55/44
8. I have adequate information and training to make effective decisions regarding students with disabilities.	83/4	51/25

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-16  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. Community agencies are involved in the prereferral process.	50/8	29/17
2. School staff receive adequate staff development related to the prereferral process.	33/17	23/33
3. The general education intervention process effectively supports the general classroom teacher with instructional interventions.	41/41	32/30
4. The general education intervention process effectively supports the general classroom teacher with behavioral interventions.	33/46	22/36
5. The prereferral interventions are adequately documented to determine their effectiveness.	21/41	19/26
6. The prereferral process is timely and comprehensive.	21/29	24/30
7. The general education intervention process effectively reduces the number of referrals for student evaluation.	50/25	8/36
8. The school principal or designee ensures that a referral process for special education supports and services is implemented.	63/4	31/18
9. The referral process is timely and comprehensive.	54/13	41/24
10. The evaluation and eligibility determination process for special education is timely and comprehensive.	63/17	30/32

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-17  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.1: ACCESS TO GENERAL EDUCATION CURRICULUM AND INSTRUCTION</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. Students with disabilities have adequate access to general education curriculum.	76/17	73/17
2. Modifications and/or accommodations to the general education curriculum are adequately provided and documented for students with disabilities.	54/25	61/19
3. General education and special education staff implement co-teaching and other instructional strategies that support inclusion of students with disabilities.	71/16	57/23
4. Student data are available to document adequate academic performance of students with disabilities.	63/17	63/11
5. General education assessment data are used for instructional planning for students with disabilities.	58/8	50/12
6. Instructional technology is adequately incorporated into instruction of students with disabilities.	33/25	44/20
7. General education teachers receive adequate staff development regarding the instruction of students with disabilities.	13/50	19/47
8. Special education teachers receive adequate staff development in cooperative planning and instruction.	29/42	35/25
9. General education and special education teachers have adequate resources for the instruction of students with disabilities in the general education setting.	25/54	35/37
10. General education and special education teachers have adequate time for collaborative planning.	17/75	11/50

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-18  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.3: TRANSITION SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. Adult/community/vocational education is made available to students with disabilities.	96/0	50/6
2. GED exit option is available to students with disabilities.	84/4	40/5
3. Postsecondary options are adequate for students with disabilities upon exit from the school division.	54/21	31/13
4. Articulation agreements for postsecondary options are available for students with disabilities.	54/4	22/9
5. The transition plan accurately reflects the transition from school to postsecondary outcomes.	50/12	32/8
6. Technology is adequately used to assist with the transition process.	21/25	20/14
7. Teachers receive adequate staff development related to transition services.	33/25	13/27
8. Support staff receive adequate staff development related to transition services.	25/25	16/29
9. Administrators receive adequate staff development related to transition services.	13/42	10/26
10. The school division maintains agreements with business/community partners for community-based training opportunities.	63/0	43/10

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-19  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART F: PARENT SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. The school division identifies parent services goals, objectives, and activities for implementation.	62/13	41/17
2. Parents are appropriately informed of <i>Individual with Disabilities Education Act</i> procedural safeguards.	92/4	68/5
3. The school division adequately provides resources and information to parents.	84/4	65/9
4. The school division maintains an annual calendar of parent education and training opportunities.	71/8	33/12
5. Parents are encouraged to participate as partners in the educational process of their child.	96/0	72/7
6. Parent support services are available in the community for parents or families of students with disabilities.	87/0	60/7
7. Technology is used to improve or enhance services to parents.	42/13	26/20
8. Instructional staff receive adequate staff development related to parent services.	29/25	29/28

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-20  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO CENTRAL OFFICE ADMINISTRATORS	OTHER SCHOOL DISTRICT ADMINISTRATORS
<b>PART G: DISCIPLINE</b>		
1. The school division has administrative policies or procedures regarding discipline of students with disabilities.	96/0	76/7
2. Mental health services are available to support students with disabilities whose disability impacts their ability to comply with discipline policy.	92/4	65/6
3. Multi-agency interventions are adequately used for students with disabilities who do not comply with discipline policy.	80/4	52/15
4. School staff receive adequate staff development related to discipline of students with disabilities.	55/21	32/40

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-21  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO CENTRAL OFFICE ADMINISTRATORS	OTHER SCHOOL DISTRICT ADMINISTRATORS
<b>PART H: FINANCIAL MANAGEMENT</b>		
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	38/26	57/13
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	34/25	52/9
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	37/30	57/9
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	4/42	48/22
5. The school division efficiently and effectively spends special education funds.	33/34	48/9
6. Most schools spend allotted special education funds efficiently and effectively.	33/12	43/0
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	21/8	38/0
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	17/34	22/4
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	33/21	26/17
10. The budget development process provides an effective format for addressing special education needs.	21/34	35/13

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-22  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO CENTRAL OFFICE ADMINISTRATORS	OTHER SCHOOL DISTRICT ADMINISTRATORS
<b>PART I: OUT-OF-DIVISION PLACEMENTS</b>		
1. The intervention process is adequately documented to determine the effectiveness of out-of-division placements.	21/21	26/9
2. The evaluation and eligibility determination process for placement in special education programs in our school division is timely and comprehensive.	50/17	52/8
3. The collection and reporting system for special education student performance data is adequate for out-of-division placement.	21/17	35/17
4. Out-of-division special education programs are appropriately monitored for compliance and quality assurance.	17/17	26/5
5. The criteria used for determining out-of-division placements of students with disabilities are clear and consistent.	37/21	18/13
6. The appeal process for challenging an out-of-division placement needs improvement.	25/4	15/8
7. The process used to determine whether or not to litigate a challenge to a denial of out-of-division placement is appropriate.	21/12	31/0
8. Out-of-division placements and services are more cost-effective than establishing in-division programs.	4/42	17/22
9. The present transportation plan for out-of-division students is too costly.	30/4	23/8
10. Students in out-of-division placements have more opportunities for academic and personal success in meeting IEP goals than they would have in in-division placements.	4/25	13/9

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-23  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART J: HOMEBOUND PLACEMENTS OR ALTERNATIVE SITE PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. The collection and reporting system for special education student performance data from homebound/alternative site placements is adequate.	25/21	21/22
2. Special education services for homebound/alternative site placements are appropriately monitored by the school division for compliance and quality assurance.	29/21	17/13
3. The school division works collaboratively with other agencies to identify services for children with disabilities in homebound/alternative site placements.	38/0	31/8
4. Our staff receive adequate staff development related to the homebound/alternative site placement needs of children with disabilities.	17/21	15/31
5. The criteria used for determining homebound/alternative site placements of students with disabilities are clear.	38/21	31/0
6. The appeal process for challenging a homebound/alternative site placement needs improvement.	17/16	8/0
7. The process used to determine whether or not to litigate a challenge to a denial of homebound/alternative site placement is appropriate.	17/17	23/0
8. The present transportation plan for homebound/alternative site students is too costly.	4/0	0/8

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-24  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADMINISTRATORS  
AND ADMINISTRATORS OF OTHER SCHOOL DISTRICTS**

<b>PART K: SPECIAL EDUCATION PROGRAM FUNCTION</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO CENTRAL OFFICE ADMINISTRATORS</b>	<b>OTHER SCHOOL DISTRICT ADMINISTRATORS</b>
1. Budgeting	67/17	39/35
2. Strategic planning	79/8	48/35
3. Curriculum planning	67/29	39/38
4. Financial management and accounting	71/13	30/35
5. Community relations	33/63	31/51
6. Program evaluation, research, and assessment	50/33	48/26
7. Instructional technology	42/46	18/43
8. Pupil accounting	29/37	39/34
9. Instructional coordination/supervision	41/38	43/43
10. Instructional support in general education classrooms	63/25	43/34
11. Federal program resources	46/17	9/26
12. Curriculum development	62/25	30/39
13. Service coordination with general education	55/42	39/43
14. Personnel evaluation	46/33	30/39
15. Staff development	63/37	34/48
16. Pupil transportation	50/33	21/39
17. Parent education	25/66	39/26
18. Facilities access for students with disabilities	8/83	17/44
19. Mediation services	8/71	8/35
20. Student identification process	21/66	26/52
21. Pre-referral intervention	34/46	30/40
22. Individual Education Plan Development (IEPs)	25/67	26/56
23. Annual review process	21/63	26/52
24. Parent communication	21/66	22/61
25. Guidance services	21/54	18/48
26. Occupational therapy	4/83	0/56
27. Physical therapy	4/75	0/56
28. Counseling	33/50	4/64
29. Psychological services	25/58	13/56
30. Speech and language services	25/71	9/69
31. Out-of-division placement and services	41/21	13/22
32. Home bound and alternative site placement and services	29/33	18/21

<sup>1</sup>Percent responding *Needs Major Improvement* + *Needs Some Improvement*/Percent responding *Adequate* or *Outstanding*.  
The *don't know* responses are omitted.



**EXHIBIT A-25  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

<b>PART A: ADMINISTRATION</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO PRINCIPALS</b>	<b>OTHER DISTRICT PRINCIPALS</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education.	82/11	79/15
2. The school division adequately recruits quality special education staff.	62/20	61/20
3. The school division adequately retains quality special education staff.	46/28	55/30
4. The current special education organizational structure adequately supports the continuum of special education services.	70/17	54/32
5. The collection and reporting system for special education student performance data is adequate.	59/17	56/26
6. Special education programs are appropriately monitored for compliance and quality assurance.	76/11	68/19
7. Special education decisions that impact my work responsibilities are handled in a timely manner.	56/23	56/33
8. I have adequate information and training to make effective decisions regarding students with disabilities.	67/20	75/12

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-26  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

<b>PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO PRINCIPALS</b>	<b>OTHER DISTRICT PRINCIPALS</b>
1. Community agencies are involved in the prereferral process.	41/11	50/19
2. School staff receive adequate staff development related to the prereferral process.	44/22	41/35
3. The general education intervention process effectively supports the general classroom teacher with instructional interventions.	47/31	63/17
4. The general education intervention process effectively supports the general classroom teacher with behavioral interventions.	43/41	61/24
5. The prereferral interventions are adequately documented to determine their effectiveness.	47/19	56/13
6. The prereferral process is timely and comprehensive.	44/20	57/17
7. The general education intervention process effectively reduces the number of referrals for student evaluation.	59/14	60/23
8. The school principal or designee ensures that a referral process for special education supports and services is implemented.	82/11	91/0
9. The referral process is timely and comprehensive.	68/17	70/12
10. The evaluation and eligibility determination process for special education is timely and comprehensive.	72/15	62/20

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-27  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.1: ACCESS TO GENERAL EDUCATION CURRICULUM AND INSTRUCTION</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO PRINCIPALS</b>	<b>OTHER DISTRICT PRINCIPALS</b>
1. Students with disabilities have adequate access to general education curriculum.	89/5	94/2
2. Modifications and/or accommodations to the general education curriculum are adequately provided and documented for students with disabilities.	78/11	88/7
3. General education and special education staff implement co-teaching and other instructional strategies that support inclusion of students with disabilities.	67/16	70/12
4. Student data are available to document adequate academic performance of students with disabilities.	84/7	83/5
5. General education assessment data are used for instructional planning for students with disabilities.	82/4	80/4
6. Instructional technology is adequately incorporated into instruction of students with disabilities.	59/12	66/17
7. General education teachers receive adequate staff development regarding the instruction of students with disabilities.	23/47	29/51
8. Special education teachers receive adequate staff development in cooperative planning and instruction.	37/38	49/37
9. General education and special education teachers have adequate resources for the instruction of students with disabilities in the general education setting.	48/30	53/29
10. General education and special education teachers have adequate time for collaborative planning.	27/53	29/55

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-28  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.3: TRANSITION SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO PRINCIPALS</b>	<b>OTHER DISTRICT PRINCIPALS</b>
1. Adult/community/vocational education is made available to students with disabilities.	58/0	42/7
2. GED exit option is available to students with disabilities.	42/0	40/7
3. Postsecondary options are adequate for students with disabilities upon exit from the school division.	39/5	33/5
4. Articulation agreements for postsecondary options are available for students with disabilities.	31/3	31/4
5. The transition plan accurately reflects the transition from school to postsecondary outcomes.	35/5	30/5
6. Technology is adequately used to assist with the transition process.	19/5	28/7
7. Teachers receive adequate staff development related to transition services.	22/14	25/21
8. Support staff receive adequate staff development related to transition services.	16/14	25/20
9. Administrators receive adequate staff development related to transition services.	18/22	24/40
10. The school division maintains agreements with business/community partners for community-based training opportunities.	24/2	38/8

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-29  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

<b>PART F: PARENT SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO PRINCIPALS</b>	<b>OTHER DISTRICT PRINCIPALS</b>
1. The school division identifies parent services goals, objectives, and activities for implementation.	53/8	58/6
2. Parents are appropriately informed of <i>Individual with Disabilities Education Act</i> procedural safeguards.	93/2	94/1
3. The school division adequately provides resources and information to parents.	79/6	87/6
4. The school division maintains an annual calendar of parent education and training opportunities.	70/3	49/12
5. Parents are encouraged to participate as partners in the educational process of their child.	89/0	92/2
6. Parent support services are available in the community for parents or families of students with disabilities.	71/0	62/4
7. Technology is used to improve or enhance services to parents.	50/5	34/14
8. Instructional staff receive adequate staff development related to parent services.	38/21	32/40

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-30  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO PRINCIPALS	OTHER DISTRICT PRINCIPALS
<b>PART G: DISCIPLINE</b>		
1. The school division has administrative policies or procedures regarding discipline of students with disabilities.	93/0	88/5
2. Mental health services are available to support students with disabilities whose disability impacts their ability to comply with discipline policy.	68/18	70/14
3. Multi-agency interventions are adequately used for students with disabilities who do not comply with discipline policy.	52/20	56/20
4. School staff receive adequate staff development related to discipline of students with disabilities.	38/40	35/46

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-31  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO PRINCIPALS	OTHER DISTRICT PRINCIPALS
<b>PART H: FINANCIAL MANAGEMENT</b>		
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	43/6	49/30
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	33/26	44/26
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	33/12	36/12
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	26/27	21/34
5. The school division efficiently and effectively spends special education funds.	30/17	36/19
6. Most schools spend allotted special education funds efficiently and effectively.	41/7	38/7
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	14/5	8/16
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	10/18	14/15
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	21/8	25/15
10. The budget development process provides an effective format for addressing special education needs.	17/11	12/24

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-32  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO PRINCIPALS	OTHER DISTRICT PRINCIPALS
<b>PART I: OUT-OF-DIVISION PLACEMENTS</b>		
1. The intervention process is adequately documented to determine the effectiveness of out-of-division placements.	28/5	47/23
2. The evaluation and eligibility determination process for placement in special education programs in our school division is timely and comprehensive.	43/10	47/24
3. The collection and reporting system for special education student performance data is adequate for out-of-division placement.	23/4	31/18
4. Out-of-division special education programs are appropriately monitored for compliance and quality assurance.	10/7	19/13
5. The criteria used for determining out-of-division placements of students with disabilities are clear and consistent.	19/13	50/16
6. The appeal process for challenging an out-of-division placement needs improvement.	7/6	42/14
7. The process used to determine whether or not to litigate a challenge to a denial of out-of-division placement is appropriate.	8/5	29/21
8. Out-of-division placements and services are more cost-effective than establishing in-division programs.	3/14	23/26
9. The present transportation plan for out-of-division students is too costly.	11/2	28/14
10. Students in out-of-division placements have more opportunities for academic and personal success in meeting IEP goals than they would have in in-division placements.	6/18	24/29

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-33  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

<b>PART J: HOMEBOUND PLACEMENTS OR ALTERNATIVE SITE PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO PRINCIPALS</b>	<b>OTHER DISTRICT PRINCIPALS</b>
1. The collection and reporting system for special education student performance data from homebound/alternative site placements is adequate.	9/5	28/35
2. Special education services for homebound/alternative site placements are appropriately monitored by the school division for compliance and quality assurance.	10/8	26/28
3. The school division works collaboratively with other agencies to identify services for children with disabilities in homebound/alternative site placements.	23/0	14/14
4. Our staff receive adequate staff development related to the homebound/alternative site placement needs of children with disabilities.	9/26	0/50
5. The criteria used for determining homebound/alternative site placements of students with disabilities are clear.	14/20	43/7
6. The appeal process for challenging a homebound/alternative site placement needs improvement.	5/4	29/7
7. The process used to determine whether or not to litigate a challenge to a denial of homebound/alternative site placement is appropriate.	2/5	14/7
8. The present transportation plan for homebound/alternative site students is too costly.	3/4	0/7

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-34  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT PRINCIPALS  
AND PRINCIPALS OF OTHER SCHOOL DISTRICTS**

PART K: SPECIAL EDUCATION PROGRAM FUNCTION	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO PRINCIPALS	OTHER DISTRICT PRINCIPALS
1. Budgeting	44/14	70/18
2. Strategic planning	52/29	54/43
3. Curriculum planning	48/37	40/53
4. Financial management and accounting	34/20	46/31
5. Community relations	27/56	38/55
6. Program evaluation, research, and assessment	29/43	45/48
7. Instructional technology	38/39	35/59
8. Pupil accounting	28/35	23/57
9. Instructional coordination/supervision	41/42	26/74
10. Instructional support in general education classrooms	55/37	41/59
11. Federal program resources	17/20	38/20
12. Curriculum development	43/39	47/44
13. Service coordination with general education	50/34	55/43
14. Personnel evaluation	30/53	23/71
15. Staff development	62/28	48/49
16. Pupil transportation	29/44	15/62
17. Parent education	30/52	42/52
18. Facilities access for students with disabilities	12/74	29/58
19. Mediation services	13/44	20/57
20. Student identification process	26/64	32/62
21. Pre-referral intervention	35/48	33/64
22. Individual Education Plan Development (IEPs)	20/73	26/71
23. Annual review process	17/71	15/80
24. Parent communication	21/65	18/79
25. Guidance services	29/35	23/65
26. Occupational therapy	17/59	12/69
27. Physical therapy	16/50	11/66
28. Counseling	53/28	35/58
29. Psychological services	54/30	24/69
30. Speech and language services	20/64	21/72
31. Out-of-division placement and services	8/14	25/40
32. Home bound and alternative site placement and services	9/17	20/39

<sup>1</sup>Percent responding *Needs Major Improvement* + *Needs Some Improvement*/Percent responding *Adequate* or *Outstanding*. The *don't know* responses are omitted.

**EXHIBIT A-35  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART A: ADMINISTRATION</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education.	56/30	61/24
2. The school division adequately recruits quality special education staff.	48/24	62/19
3. The school division adequately retains quality special education staff.	37/42	48/32
4. The current special education organizational structure adequately supports the continuum of special education services.	35/44	45/41
5. The collection and reporting system for special education student performance data is adequate.	48/28	53/30
6. Special education programs are appropriately monitored for compliance and quality assurance.	51/24	61/25
7. Special education decisions that impact my work responsibilities are handled in a timely manner.	40/43	48/39
8. I have adequate information and training to make effective decisions regarding students with disabilities.	71/21	81/12

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-36  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. Community agencies are involved in the prereferral process.	40/10	25/30
2. School staff receive adequate staff development related to the prereferral process.	39/34	24/48
3. The general education intervention process effectively supports the general classroom teacher with instructional interventions.	40/37	35/34
4. The general education intervention process effectively supports the general classroom teacher with behavioral interventions.	31/43	34/36
5. The prereferral interventions are adequately documented to determine their effectiveness.	36/26	37/24
6. The prereferral process is timely and comprehensive.	39/24	36/28
7. The general education intervention process effectively reduces the number of referrals for student evaluation.	35/21	31/31
8. The school principal or designee ensures that a referral process for special education supports and services is implemented.	57/15	61/15
9. The referral process is timely and comprehensive.	49/18	55/17
10. The evaluation and eligibility determination process for special education is timely and comprehensive.	59/18	57/20

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.



**EXHIBIT A-37  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.1: ACCESS TO GENERAL EDUCATION CURRICULUM AND INSTRUCTION</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. Students with disabilities have adequate access to general education curriculum.	77/16	81/11
2. Modifications and/or accommodations to the general education curriculum are adequately provided and documented for students with disabilities.	61/24	70/18
3. General education and special education staff implement co-teaching and other instructional strategies that support inclusion of students with disabilities.	55/25	62/25
4. Student data are available to document adequate academic performance of students with disabilities.	74/9	71/13
5. General education assessment data are used for instructional planning for students with disabilities.	66/14	62/13
6. Instructional technology is adequately incorporated into instruction of students with disabilities.	50/25	47/33
7. General education teachers receive adequate staff development regarding the instruction of students with disabilities.	24/66	16/64
8. Special education teachers receive adequate staff development in cooperative planning and instruction.	36/47	46/43
9. General education and special education teachers have adequate resources for the instruction of students with disabilities in the general education setting.	33/55	31/54
10. General education and special education teachers have adequate time for collaborative planning.	19/68	16/75

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-38  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.3: TRANSITION SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. Adult/community/vocational education is made available to students with disabilities.	41/3	42/9
2. GED exit option is available to students with disabilities.	34/2	27/6
3. Postsecondary options are adequate for students with disabilities upon exit from the school division.	24/10	25/14
4. Articulation agreements for postsecondary options are available for students with disabilities.	19/6	22/7
5. The transition plan accurately reflects the transition from school to postsecondary outcomes.	26/6	30/9
6. Technology is adequately used to assist with the transition process.	15/11	16/18
7. Teachers receive adequate staff development related to transition services.	16/17	16/23
8. Support staff receive adequate staff development related to transition services.	7/21	13/22
9. Administrators receive adequate staff development related to transition services.	9/14	13/14
10. The school division maintains agreements with business/community partners for community-based training opportunities.	18/3	24/10

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-39  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART F: PARENT SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. The school division identifies parent services goals, objectives, and activities for implementation.	45/11	44/18
2. Parents are appropriately informed of <i>Individual with Disabilities Education Act</i> procedural safeguards.	90/1	90/4
3. The school division adequately provides resources and information to parents.	74/9	73/7
4. The school division maintains an annual calendar of parent education and training opportunities.	72/6	46/10
5. Parents are encouraged to participate as partners in the educational process of their child.	91/2	86/5
6. Parent support services are available in the community for parents or families of students with disabilities.	74/4	61/7
7. Technology is used to improve or enhance services to parents.	35/10	24/22
8. Instructional staff receive adequate staff development related to parent services.	23/46	24/50

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-40  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART G: DISCIPLINE</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. The school division has administrative policies or procedures regarding discipline of students with disabilities.	67/14	72/17
2. Mental health services are available to support students with disabilities whose disability impacts their ability to comply with discipline policy.	71/11	55/19
3. Multi-agency interventions are adequately used for students with disabilities who do not comply with discipline policy.	44/21	42/29
4. School staff receive adequate staff development related to discipline of students with disabilities.	26/50	27/53

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-41  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART H: FINANCIAL MANAGEMENT</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	20/19	19/16
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	20/22	15/16
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	18/19	17/16
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	16/26	13/21
5. The school division efficiently and effectively spends special education funds.	14/27	16/29
6. Most schools spend allotted special education funds efficiently and effectively.	27/14	20/19
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	21/7	10/10
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	9/13	9/13
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	12/15	13/16
10. The budget development process provides an effective format for addressing special education needs.	10/15	9/19

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-42  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO SPECIAL EDUCATION TEACHERS	OTHER DISTRICT SPECIAL EDUCATION TEACHERS
<b>PART I: OUT-OF-DIVISION PLACEMENTS</b>		
1. The intervention process is adequately documented to determine the effectiveness of out-of-division placements.	24/11	25/15
2. The evaluation and eligibility determination process for placement in special education programs in our school division is timely and comprehensive.	48/17	42/20
3. The collection and reporting system for special education student performance data is adequate for out-of-division placement.	19/13	21/14
4. Out-of-division special education programs are appropriately monitored for compliance and quality assurance.	11/7	11/13
5. The criteria used for determining out-of-division placements of students with disabilities are clear and consistent.	15/20	21/18
6. The appeal process for challenging an out-of-division placement needs improvement.	13/4	13/5
7. The process used to determine whether or not to litigate a challenge to a denial of out-of-division placement is appropriate.	10/6	7/6
8. Out-of-division placements and services are more cost-effective than establishing in-division programs.	5/21	9/13
9. The present transportation plan for out-of-division students is too costly.	22/1	12/4
10. Students in out-of-division placements have more opportunities for academic and personal success in meeting IEP goals than they would have in in-division placements.	9/17	15/15

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-43  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART J: HOMEBOUND PLACEMENTS OR ALTERNATIVE SITE PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SPECIAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT SPECIAL EDUCATION TEACHERS</b>
1. The collection and reporting system for special education student performance data from homebound/alternative site placements is adequate.	18/10	11/18
2. Special education services for homebound/alternative site placements are appropriately monitored by the school division for compliance and quality assurance.	19/7	13/13
3. The school division works collaboratively with other agencies to identify services for children with disabilities in homebound/alternative site placements.	21/5	13/6
4. Our staff receive adequate staff development related to the homebound/alternative site placement needs of children with disabilities.	12/29	6/36
5. The criteria used for determining homebound/alternative site placements of students with disabilities are clear.	18/21	25/7
6. The appeal process for challenging a homebound/alternative site placement needs improvement.	11/3	16/7
7. The process used to determine whether or not to litigate a challenge to a denial of homebound/alternative site placement is appropriate.	5/4	11/2
8. The present transportation plan for homebound/alternative site students is too costly.	8/3	7/9

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-45  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION TEACHERS  
AND SPECIAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

PART K: SPECIAL EDUCATION PROGRAM FUNCTION	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO SPECIAL EDUCATION TEACHERS	OTHER DISTRICT SPECIAL EDUCATION TEACHERS
1. Budgeting	51/9	52/12
2. Strategic planning	54/16	43/19
3. Curriculum planning	63/28	57/34
4. Financial management and accounting	39/9	32/15
5. Community relations	39/37	38/37
6. Program evaluation, research, and assessment	50/31	38/40
7. Instructional technology	55/29	45/44
8. Pupil accounting	23/42	20/30
9. Instructional coordination/supervision	44/40	36/51
10. Instructional support in general education classrooms	58/34	48/41
11. Federal program resources	26/14	23/13
12. Curriculum development	54/32	45/47
13. Service coordination with general education	59/29	56/33
14. Personnel evaluation	26/58	23/60
15. Staff development	70/27	55/40
16. Pupil transportation	30/38	11/49
17. Parent education	32/56	38/42
18. Facilities access for students with disabilities	20/69	28/52
19. Mediation services	17/39	16/36
20. Student identification process	27/56	26/62
21. Pre-referral intervention	27/42	33/50
22. Individual Education Plan Development (IEPs)	24/74	20/77
23. Annual review process	17/76	17/78
24. Parent communication	25/69	21/74
25. Guidance services	21/46	23/58
26. Occupational therapy	19/69	19/56
27. Physical therapy	11/57	12/60
28. Counseling	43/41	27/62
29. Psychological services	42/51	26/65
30. Speech and language services	32/64	20/73
31. Out-of-division placement and services	19/18	19/25
32. Home bound and alternative site placement and services	10/19	18/18

<sup>1</sup>Percent responding *Needs Major Improvement* + *Needs Some Improvement*/Percent responding *Adequate* or *Outstanding*. The *don't know* responses are omitted.

**EXHIBIT A-46  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART A: ADMINISTRATION</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education.	49/16	53/17
2. The school division adequately recruits quality special education staff.	46/25	50/12
3. The school division adequately retains quality special education staff.	34/34	43/19
4. The current special education organizational structure adequately supports the continuum of special education services.	32/31	36/23
5. The collection and reporting system for special education student performance data is adequate.	34/18	32/25
6. Special education programs are appropriately monitored for compliance and quality assurance.	34/16	34/23
7. Special education decisions that impact my work responsibilities are handled in a timely manner.	47/29	37/37
8. I have adequate information and training to make effective decisions regarding students with disabilities.	47/30	35/42

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-47  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. Community agencies are involved in the prereferral process.	24/9	20/15
2. School staff receive adequate staff development related to the prereferral process.	32/31	32/41
3. The general education intervention process effectively supports the general classroom teacher with instructional interventions.	33/37	35/38
4. The general education intervention process effectively supports the general classroom teacher with behavioral interventions.	28/47	34/41
5. The prereferral interventions are adequately documented to determine their effectiveness.	31/21	37/19
6. The prereferral process is timely and comprehensive.	27/26	28/31
7. The general education intervention process effectively reduces the number of referrals for student evaluation.	25/23	29/17
8. The school principal or designee ensures that a referral process for special education supports and services is implemented.	49/13	52/10
9. The referral process is timely and comprehensive.	30/25	31/29
10. The evaluation and eligibility determination process for special education is timely and comprehensive.	31/26	30/29

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-48  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.1: ACCESS TO GENERAL EDUCATION CURRICULUM AND INSTRUCTION</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. Students with disabilities have adequate access to general education curriculum.	83/5	86/4
2. Modifications and/or accommodations to the general education curriculum are adequately provided and documented for students with disabilities.	68/14	66/17
3. General education and special education staff implement co-teaching and other instructional strategies that support inclusion of students with disabilities.	61/19	60/24
4. Student data are available to document adequate academic performance of students with disabilities.	67/7	57/14
5. General education assessment data are used for instructional planning for students with disabilities.	61/6	57/11
6. Instructional technology is adequately incorporated into instruction of students with disabilities.	38/21	46/19
7. General education teachers receive adequate staff development regarding the instruction of students with disabilities.	30/41	23/56
8. Special education teachers receive adequate staff development in cooperative planning and instruction.	24/19	21/21
9. General education and special education teachers have adequate resources for the instruction of students with disabilities in the general education setting.	30/38	31/44
10. General education and special education teachers have adequate time for collaborative planning.	14/67	16/68

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.



**EXHIBIT A-49  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.3: TRANSITION SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. Adult/community/vocational education is made available to students with disabilities.	26/3	25/4
2. GED exit option is available to students with disabilities.	24/1	17/1
3. Postsecondary options are adequate for students with disabilities upon exit from the school division.	17/4	13/5
4. Articulation agreements for postsecondary options are available for students with disabilities.	13/2	10/2
5. The transition plan accurately reflects the transition from school to postsecondary outcomes.	14/3	11/3
6. Technology is adequately used to assist with the transition process.	10/4	9/5
7. Teachers receive adequate staff development related to transition services.	8/20	6/13
8. Support staff receive adequate staff development related to transition services.	8/9	7/7
9. Administrators receive adequate staff development related to transition services.	7/4	6/4
10. The school division maintains agreements with business/community partners for community-based training opportunities.	10/3	14/4

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-50  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART F: PARENT SERVICES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. The school division identifies parent services goals, objectives, and activities for implementation.	34/6	39/6
2. Parents are appropriately informed of <i>Individual with Disabilities Education Act</i> procedural safeguards.	67/1	61/3
3. The school division adequately provides resources and information to parents.	52/6	51/7
4. The school division maintains an annual calendar of parent education and training opportunities.	37/2	27/6
5. Parents are encouraged to participate as partners in the educational process of their child.	74/2	68/5
6. Parent support services are available in the community for parents or families of students with disabilities.	42/2	37/4
7. Technology is used to improve or enhance services to parents.	32/6	25/8
8. Instructional staff receive adequate staff development related to parent services.	19/24	19/33

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-51  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO GENERAL EDUCATION TEACHERS	OTHER DISTRICT GENERAL EDUCATION TEACHERS
<b>PART G: DISCIPLINE</b>		
1. The school division has administrative policies or procedures regarding discipline of students with disabilities.	42/14	44/14
2. Mental health services are available to support students with disabilities whose disability impacts their ability to comply with discipline policy.	43/17	50/10
3. Multi-agency interventions are adequately used for students with disabilities who do not comply with discipline policy.	23/16	23/15
4. School staff receive adequate staff development related to discipline of students with disabilities.	16/51	17/59

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-52  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO GENERAL EDUCATION TEACHERS	OTHER DISTRICT GENERAL EDUCATION TEACHERS
<b>PART H: FINANCIAL MANAGEMENT</b>		
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	15/11	18/5
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	13/14	14/8
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	13/12	12/8
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	8/15	9/11
5. The school division efficiently and effectively spends special education funds.	8/22	11/12
6. Most schools spend allotted special education funds efficiently and effectively.	13/11	13/6
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	5/4	6/4
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	4/6	7/5
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	10/8	7/6
10. The budget development process provides an effective format for addressing special education needs.	8/8	8/6

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-53  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART I: OUT-OF-DIVISION PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. The intervention process is adequately documented to determine the effectiveness of out-of-division placements.	10/5	13/6
2. The evaluation and eligibility determination process for placement in special education programs in our school division is timely and comprehensive.	15/10	14/14
3. The collection and reporting system for special education student performance data is adequate for out-of-division placement.	8/5	9/5
4. Out-of-division special education programs are appropriately monitored for compliance and quality assurance.	6/3	7/4
5. The criteria used for determining out-of-division placements of students with disabilities are clear and consistent.	6/5	10/6
6. The appeal process for challenging an out-of-division placement needs improvement.	6/2	11/3
7. The process used to determine whether or not to litigate a challenge to a denial of out-of-division placement is appropriate.	5/2	9/3
8. Out-of-division placements and services are more cost-effective than establishing in-division programs.	4/7	7/6
9. The present transportation plan for out-of-division students is too costly.	12/0	11/2
10. Students in out-of-division placements have more opportunities for academic and personal success in meeting IEP goals than they would have in in-division placements.	6/7	8/5

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-54  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

<b>PART J: HOMEBOUND PLACEMENTS OR ALTERNATIVE SITE PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO GENERAL EDUCATION TEACHERS</b>	<b>OTHER DISTRICT GENERAL EDUCATION TEACHERS</b>
1. The collection and reporting system for special education student performance data from homebound/alternative site placements is adequate.	8/5	12/9
2. Special education services for homebound/alternative site placements are appropriately monitored by the school division for compliance and quality assurance.	9/4	10/6
3. The school division works collaboratively with other agencies to identify services for children with disabilities in homebound/alternative site placements.	10/1	16/2
4. Our staff receive adequate staff development related to the homebound/alternative site placement needs of children with disabilities.	6/19	9/22
5. The criteria used for determining homebound/alternative site placements of students with disabilities are clear.	7/8	18/2
6. The appeal process for challenging a homebound/alternative site placement needs improvement.	6/1	10/2
7. The process used to determine whether or not to litigate a challenge to a denial of homebound/alternative site placement is appropriate.	5/1	8/2
8. The present transportation plan for homebound/alternative site students is too costly.	8/2	9/1

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-55  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT GENERAL EDUCATION TEACHERS  
AND GENERAL EDUCATION TEACHERS OF OTHER SCHOOL DISTRICTS**

PART K: SPECIAL EDUCATION PROGRAM FUNCTION	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO GENERAL EDUCATION TEACHERS	OTHER DISTRICT GENERAL EDUCATION TEACHERS
1. Budgeting	37/5	30/7
2. Strategic planning	36/12	32/14
3. Curriculum planning	43/19	43/22
4. Financial management and accounting	31/5	19/9
5. Community relations	30/18	23/24
6. Program evaluation, research, and assessment	33/18	29/22
7. Instructional technology	37/19	30/27
8. Pupil accounting	20/21	16/18
9. Instructional coordination/supervision	31/26	34/29
10. Instructional support in general education classrooms	53/25	50/28
11. Federal program resources	17/7	14/10
12. Curriculum development	36/21	37/22
13. Service coordination with general education	46/22	46/26
14. Personnel evaluation	18/26	21/26
15. Staff development	53/21	52/21
16. Pupil transportation	9/24	8/20
17. Parent education	22/23	21/20
18. Facilities access for students with disabilities	9/46	17/36
19. Mediation services	9/19	13/21
20. Student identification process	33/26	37/25
21. Pre-referral intervention	30/23	36/22
22. Individual Education Plan Development (IEPs)	25/48	24/45
23. Annual review process	15/44	19/43
24. Parent communication	18/41	18/44
25. Guidance services	22/24	20/40
26. Occupational therapy	14/30	11/29
27. Physical therapy	11/25	9/30
28. Counseling	35/21	19/36
29. Psychological services	35/24	21/36
30. Speech and language services	17/42	16/42
31. Out-of-division placement and services	8/7	10/10
32. Home bound and alternative site placement and services	10/8	12/10

<sup>1</sup>Percent responding *Needs Major Improvement* + *Needs Some Improvement*/Percent responding *Adequate* or *Outstanding*.  
The *don't know* responses are omitted.

**EXHIBIT A-56  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART A: ADMINISTRATION</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education.	77/9	65/17
2. The school division adequately recruits quality special education staff.	67/11	63/14
3. The school division adequately retains quality special education staff.	53/28	52/26
4. The current special education organizational structure adequately supports the continuum of special education services.	76/13	45/34
5. The collection and reporting system for special education student performance data is adequate.	59/11	47/20
6. Special education programs are appropriately monitored for compliance and quality assurance.	61/9	55/18
7. Special education decisions that impact my work responsibilities are handled in a timely manner.	78/13	55/26
8. I have adequate information and training to make effective decisions regarding students with disabilities.	90/6	66/19

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-57  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART B: PREREFERRAL, REFERRAL, AND EVALUATION PROCEDURES</b>	<b>(%A + SA) / (%D + SD)<sup>1</sup></b>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. Community agencies are involved in the prereferral process.	68/6	26/29
2. School staff receive adequate staff development related to the prereferral process.	50/15	40/33
3. The general education intervention process effectively supports the general classroom teacher with instructional interventions.	60/17	38/32
4. The general education intervention process effectively supports the general classroom teacher with behavioral interventions.	52/24	34/32
5. The prereferral interventions are adequately documented to determine their effectiveness.	47/28	41/21
6. The prereferral process is timely and comprehensive.	63/11	35/28
7. The general education intervention process effectively reduces the number of referrals for student evaluation.	52/19	38/25
8. The school principal or designee ensures that a referral process for special education supports and services is implemented.	72/6	63/9
9. The referral process is timely and comprehensive.	76/7	41/26
10. The evaluation and eligibility determination process for special education is timely and comprehensive.	89/6	48/25

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-58  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.1: ACCESS TO GENERAL EDUCATION CURRICULUM AND INSTRUCTION</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. Students with disabilities have adequate access to general education curriculum.	83/6	83/8
2. Modifications and/or accommodations to the general education curriculum are adequately provided and documented for students with disabilities.	82/8	65/18
3. General education and special education staff implement co-teaching and other instructional strategies that support inclusion of students with disabilities.	78/4	67/15
4. Student data are available to document adequate academic performance of students with disabilities.	87/0	68/9
5. General education assessment data are used for instructional planning for students with disabilities.	73/0	57/8
6. Instructional technology is adequately incorporated into instruction of students with disabilities.	65/9	57/13
7. General education teachers receive adequate staff development regarding the instruction of students with disabilities.	30/35	22/48
8. Special education teachers receive adequate staff development in cooperative planning and instruction.	57/19	33/28
9. General education and special education teachers have adequate resources for the instruction of students with disabilities in the general education setting.	49/12	36/31
10. General education and special education teachers have adequate time for collaborative planning.	20/44	15/55

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-59  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART E: CURRICULUM AND INSTRUCTION E.3: TRANSITION SERVICES</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER SCHOOL DISTRICT SUPPORT STAFF</b>
1. Adult/community/vocational education is made available to students with disabilities.	72/2	28/7
2. GED exit option is available to students with disabilities.	49/4	15/2
3. Postsecondary options are adequate for students with disabilities upon exit from the school division.	52/7	17/7
4. Articulation agreements for postsecondary options are available for students with disabilities.	43/0	11/3
5. The transition plan accurately reflects the transition from school to postsecondary outcomes.	50/6	15/4
6. Technology is adequately used to assist with the transition process.	37/6	13/9
7. Teachers receive adequate staff development related to transition services.	24/17	9/11
8. Support staff receive adequate staff development related to transition services.	28/15	10/15
9. Administrators receive adequate staff development related to transition services.	35/9	6/7
10. The school division maintains agreements with business/community partners for community-based training opportunities.	43/2	14/7

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-60  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART F: PARENT SERVICES</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. The school division identifies parent services goals, objectives, and activities for implementation.	57/4	45/11
2. Parents are appropriately informed of <i>Individual with Disabilities Education Act</i> procedural safeguards.	98/2	74/3
3. The school division adequately provides resources and information to parents.	89/4	68/6
4. The school division maintains an annual calendar of parent education and training opportunities.	78/2	34/7
5. Parents are encouraged to participate as partners in the educational process of their child.	96/4	80/2
6. Parent support services are available in the community for parents or families of students with disabilities.	89/4	61/5
7. Technology is used to improve or enhance services to parents.	50/4	29/11
8. Instructional staff receive adequate staff development related to parent services.	50/17	22/34

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.



**EXHIBIT A-61  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART G: DISCIPLINE</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. The school division has administrative policies or procedures regarding discipline of students with disabilities.	82/6	63/8
2. Mental health services are available to support students with disabilities whose disability impacts their ability to comply with discipline policy.	89/0	61/12
3. Multi-agency interventions are adequately used for students with disabilities who do not comply with discipline policy.	72/2	37/16
4. School staff receive adequate staff development related to discipline of students with disabilities.	52/22	28/49

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-62  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART H: FINANCIAL MANAGEMENT</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. The school division adequately implements policies and procedures for the administration and coordination of special education funds.	37/4	15/10
2. There is generally cooperation and collaboration between the school division and schools regarding fiscal management and budget issues.	24/6	11/15
3. The school division appropriately monitors its spending practices for compliance and quality assurance of special education services.	28/4	12/7
4. Channels of communication among departments and schools promote collaboration regarding fiscal management and budgetary issues of special education services.	19/8	5/17
5. The school division efficiently and effectively spends special education funds.	27/10	11/16
6. Most schools spend allotted special education funds efficiently and effectively.	35/2	20/8
7. The process for reimbursement is structured in a way that results in a timely reimbursement from federal and state agencies.	23/2	5/5
8. The interim financial reporting process provides easily understood and useful financial information to support the activities associated with special education.	19/2	3/6
9. The budget process includes consistent formulas to identify the staff required to support special education students in the schools.	21/0	5/12
10. The budget development process provides an effective format for addressing special education needs.	15/2	6/11

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-63  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART I: OUT-OF-DIVISION PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. The intervention process is adequately documented to determine the effectiveness of out-of-division placements.	41/10	21/11
2. The evaluation and eligibility determination process for placement in special education programs in our school division is timely and comprehensive.	76/4	37/19
3. The collection and reporting system for special education student performance data is adequate for out-of-division placement.	40/4	18/9
4. Out-of-division special education programs are appropriately monitored for compliance and quality assurance.	28/9	11/6
5. The criteria used for determining out-of-division placements of students with disabilities are clear and consistent.	39/13	23/15
6. The appeal process for challenging an out-of-division placement needs improvement.	10/4	18/0
7. The process used to determine whether or not to litigate a challenge to a denial of out-of-division placement is appropriate.	11/6	13/6
8. Out-of-division placements and services are more cost-effective than establishing in-division programs.	6/41	10/13
9. The present transportation plan for out-of-division students is too costly.	17/4	16/3
10. Students in out-of-division placements have more opportunities for academic and personal success in meeting IEP goals than they would have in in-division placements.	9/41	15/10

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-64  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

<b>PART J: HOMEBOUND PLACEMENTS OR ALTERNATIVE SITE PLACEMENTS</b>	(%A + SA) / (%D + SD) <sup>1</sup>	
	<b>MT. DIABLO SUPPORT STAFF</b>	<b>OTHER DISTRICT SUPPORT STAFF</b>
1. The collection and reporting system for special education student performance data from homebound/alternative site placements is adequate.	24/15	8/11
2. Special education services for homebound/alternative site placements are appropriately monitored by the school division for compliance and quality assurance.	28/7	10/9
3. The school division works collaboratively with other agencies to identify services for children with disabilities in homebound/alternative site placements.	45/4	15/8
4. Our staff receive adequate staff development related to the homebound/alternative site placement needs of children with disabilities.	26/23	0/44
5. The criteria used for determining homebound/alternative site placements of students with disabilities are clear.	32/17	16/13
6. The appeal process for challenging a homebound/alternative site placement needs improvement.	9/9	8/5
7. The process used to determine whether or not to litigate a challenge to a denial of homebound/alternative site placement is appropriate.	10/2	5/3
8. The present transportation plan for homebound/alternative site students is too costly.	6/4	3/3

<sup>1</sup>Percent responding *Agree* or *Strongly Agree*/Percent responding *Disagree* or *Strongly Disagree*. The *neutral* and *don't know* responses are omitted.

**EXHIBIT A-65  
COMPARISON OF SURVEY RESPONSES  
MT. DIABLO UNIFIED SCHOOL DISTRICT SUPPORT STAFF  
AND SUPPORT STAFF OF OTHER SCHOOL DISTRICTS**

PART K: SPECIAL EDUCATION PROGRAM FUNCTION	(%A + SA) / (%D + SD) <sup>1</sup>	
	MT. DIABLO SUPPORT STAFF	OTHER SCHOOL SUPPORT STAFF
1. Budgeting	33/30	50/7
2. Strategic planning	17/45	42/12
3. Curriculum planning	24/45	43/26
4. Financial management and accounting	17/30	30/8
5. Community relations	19/63	39/28
6. Program evaluation, research, and assessment	21/57	38/26
7. Instructional technology	19/54	38/32
8. Pupil accounting	7/48	22/27
9. Instructional coordination/supervision	9/60	39/39
10. Instructional support in general education classrooms	23/56	54/32
11. Federal program resources	8/24	27/7
12. Curriculum development	15/50	36/27
13. Service coordination with general education	23/54	50/26
14. Personnel evaluation	21/58	26/48
15. Staff development	32/66	52/35
16. Pupil transportation	19/48	12/43
17. Parent education	19/74	41/29
18. Facilities access for students with disabilities	8/83	29/43
19. Mediation services	11/48	19/30
20. Student identification process	7/85	33/46
21. Pre-referral intervention	30/59	42/38
22. Individual Education Plan Development (IEPs)	11/89	25/60
23. Annual review process	6/84	18/61
24. Parent communication	15/82	25/59
25. Guidance services	17/46	22/52
26. Occupational therapy	6/74	15/53
27. Physical therapy	6/67	11/55
28. Counseling	25/61	20/57
29. Psychological services	19/74	26/55
30. Speech and language services	17/80	14/73
31. Out-of-division placement and services	11/35	15/17
32. Home bound and alternative site placement and services	17/37	16/15

<sup>1</sup>Percent responding *Needs Major Improvement* + *Needs Some Improvement*/Percent responding *Adequate* or *Outstanding*. The *don't know* responses are omitted.

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***APPENDIX B:***  
***BIBLIOGRAPHY***

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## **APPENDIX B BIBLIOGRAPHY**

### **Books**

Aspy, Ruth & Grossman, Barry C. (2008). Designing comprehensive interventions for individuals with high functioning autism and Asperger syndrome..Shawnee Mission, Kansas: Autism Asperger Publishing Company.

Buron, Kari Dunn & Wolfberg, Pamela, Eds. (2008). Learners on the Autism Spectrum: Preparing Highly Qualified Educators. Shawnee Mission, Kansas: Autism Asperger Publishing Company.

Janzen, Janice E. (2003). Understanding the Nature of Autism: A guide to the autism spectrum disorders. San Antonio, TX: Therapy Skill Builders.

National Research Council (2001). Educating Children with Autism. Committee on Educational Interventions for Children with Autism. Washington, D.C.: National Academy Press.

Prizant, Barry M., Wetherby, Amy M., Rubin, Emily, Laurent, Amy C., & Rydell, Patrick J. (2006). The SCERTS Model: A comprehensive educational approach for children with autism spectrum disorders.

Wetherby, Amy M. % Prizant, Barry M. (2000). Autism Spectrum Disorders: A Transactional Developmental Perspective. Baltimore: Paul H. Brookes.

### **Articles**

Bellini, Scott, Peters, Jessica, Benner, Lauren, & Hope, Andrea (2007). A Meta-Analysis of school-based social skills interventions for children with autism spectrum disorders. *Remedial and Special Education*, 28(3), 153-162.

Benazzi, Leah, Horner, Robert H., & Good, Roland H. (2006). Effects of behavior support team composition on the technical adequacy and contextual fit of behavior support plans. *The Journal of Special Education*, 40(3), 160-170.

Cushing, Lisa S., Carter, Erik W., Clark, Nitasha, Wallis, Terry, & Kennedy, Craig H. (2009). Evaluating inclusive educational practices for students with severe disabilities using the program quality measurement tool. *The Journal of Special Education*, 42(4), 195-208.

Iovannone, Rose, Dunlap, Glen, Huber, Heather, & Kincaid, Don (2003). Effective Educational practices for students with autism spectrum disorders. *Focus on Autism and Other Developmental Disabilities*, 18(3), 150-165.

Lanter, Elizabeth & Watson, Linda R. ((2008). Promoting literacy in students with ASD: The basics for the SLP. *Language, Speech, and Hearing Services in Schools*, 39.

McConnell, Scott R. (2002). Interventions to facilitate social interaction for young children with autism: review of available research and recommendations for educational intervention and future research. *Journal of Autism and Developmental Disorders*, 32(5).

Myles, Brenda Smith, Grossman, Barry G., Aspy, Ruth, Henry, Shawn A. & Coffin, Amy B. (2007). Planning a comprehensive program for students with autism spectrum disorder using evidence-based practices. *Education and Training in Developmental Disabilities*, 42(4), 398-409.

Odom, Samuel L., Boyd, Brian A., Hall, Laura J. & Hume, Kara (2009). Evaluation of comprehensive treatment models for individuals with autism spectrum disorders. *Published online*.

Rogers, Sally J. & Vismara, Laurie A. (2008). Evidence-based comprehensive treatments for early autism. *Journal of Clinical Child and Adolescent Psychology*, 37(1), 8-38.

Seida, Jennifer K, et al (2009). Systematic reviews of psychosocial interventions for autism: an umbrella review. *Developmental Medicine and Child Neurology*. 51, 95-104.

Simpson, Richard (2005). Evidence-based practices and students with autism spectrum disorders. *Focus on Autism and Other Developmental Disabilities*, 20(3), 140-149.

## **Reports**

National Autism Center's National Standards Report (2009). Randolph, Massachusetts: National Autism Center.

Systematic Utilization of Comprehensive Strategies for Ensuring Student Success: Quality Indicators and Components (updated 2009). Developed by the S.U.C.S.E.S.S. Project: Orange County Department of Special Education.