



Special Education Assessments and CDE Determinations Update

Board Meeting
April 22, 2021
Agenda Item No. 8.6

Presented by
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Agenda

- ❖ Special Education Federal & State Timelines
- ❖ SCUSD Assessment Update
- ❖ CDE Corrective Actions
- ❖ Next Steps

Special Education Federal & State Timelines

Special Education Timelines

❖ Federal & State Requirements

- 34 CFR § 300.301(c)--Assessment Timeline
 - Requires that the initial evaluation “[m]ust be conducted within 60 days of receiving parental consent for the evaluation”
- Education Code 56043(f)(1)—Assessment Timeline
 - Requires that an IEP resulting from “an assessment of a pupil shall be developed within a total time not to exceed 60 calendar days.”
- Education Code Section 56043(a)—Assessment Plans
 - The parent or guardian of the pupil shall be given, in writing, a proposed assessment plan within 15 days of the referral for assessment

Special Education Timelines

❖ District Policies & Procedures

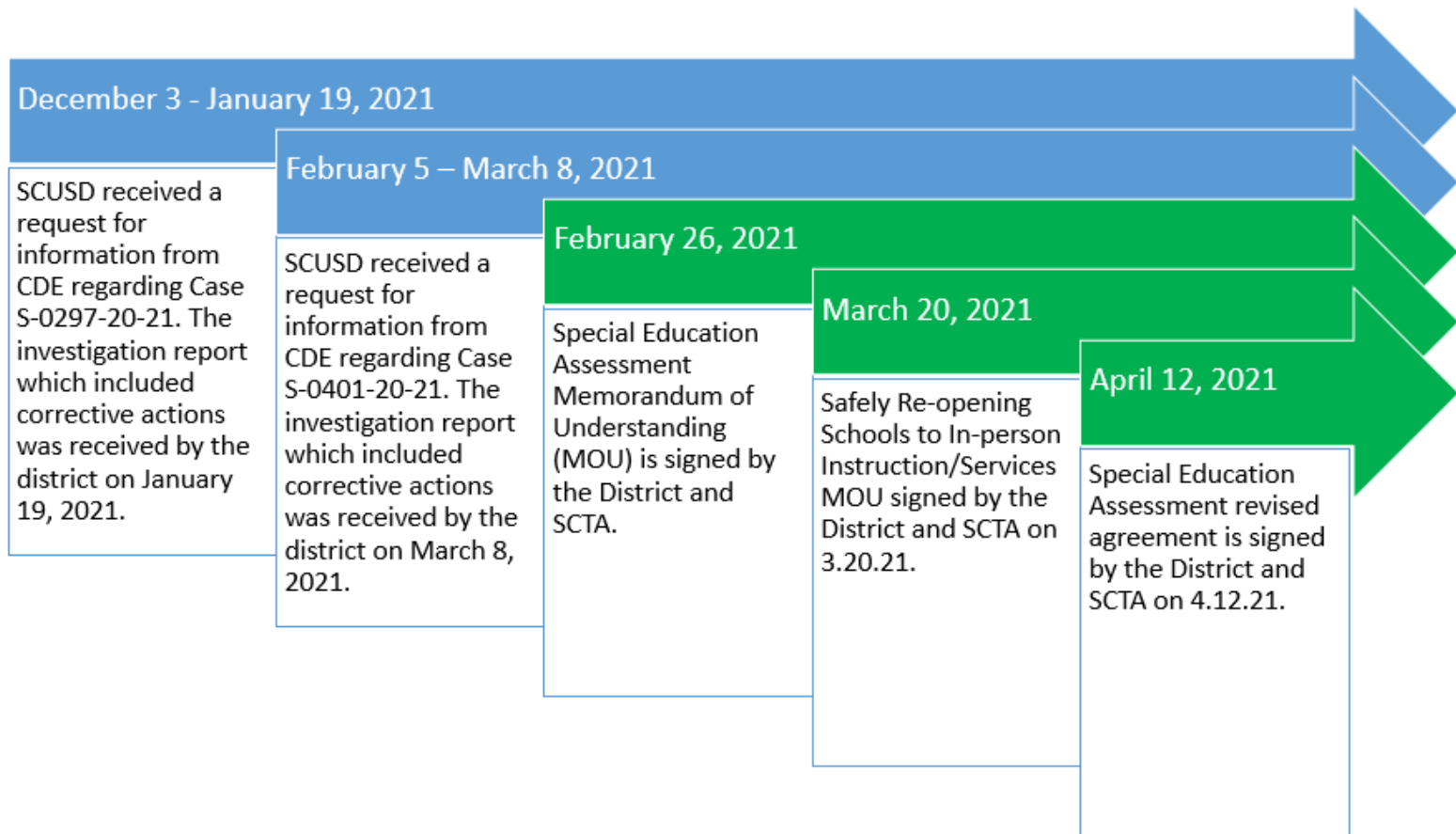
- District has special education policies and procedures in place for documenting and responding to initial special education evaluations, re-evaluations, and related procedural safeguards for parents and timelines as required by state and federal regulations located at Administrative Regulation 6164.4 (Identification of Individuals for Special Education)
 - [Board Policies](#)
 - [Special Education Handbook](#)

❖ School Board Presentation

- February 18, 2021
- Special education assessments are the foundation on which an IEP is based.

SCUSD Assessment Update

Special Education Assessments Timeline



CDE & District Conclusions

❖ The District is *out of compliance* because it failed to meet the requirements of:

- Education Code Section 56043(f)(1)
- Education Code Section 56321(a)
- 34 CFR Section 300.111



❖ Assessments were not conducted from March 2020 - February 26, 2021

Assessment Update

❖ Assessment Defined

- Assessments are considered all of the special education standardized assessments that are agreed to on an individual student's assessment plan and the IEP meeting was held.

❖ February 26, 2021 - April 8, 2021

- 854 outstanding initial and triennial assessments
- 113 assessments were completed.

Assessment Update

- ❖ February 26, 2021 - April 8, 2021 Cont.
 - February 26 Special Education Assessment MOU
 - Volunteer Provision
 - 20% Completion Rate Monitoring
 - $113/854 = 13\%$
 - Contracting with non-public agencies to provide *in-person* assessments.
 - March 20, 2021 Safely Re-opening MOU
 - Engaged in the Negotiations Process

Special Education Assessment

Revised MOU

- The District and SCTA entered into an addendum dated April 12, 2021 rendering the February 26, 2021 Special Education Assessment MOU *null and void*.
 - “SCTA members will conduct standardized and informal special education assessments in accordance with the health and safety measures as outlined in the Safely Reopening Schools to In-Person Instruction/Services MOU of March 20, 2021 and consistent with their regular job duties.”
 - Authorizing, as needed, additional hours outside of the employee’s workday to complete all special education assessments from the 2019-2020 and 2020-2021 school years.
 - Providing various safety measures, including safety supplies and materials.

Assessment Update

❖ 4.12.2021 - 6.17.2021

➤ Initial Assessments

- 305 overdue initial assessments
- 31 initial assessments will become overdue in the next 30 days.

➤ Triennial Assessments

- 518 overdue triennial assessments
- 485 triennial assessments will become due between 4/15/21 and 6/17/2021.

Assessment Data Management

- ❖ Special Education Information System (SEIS)
 - Local data management system
 - Data is uploaded directly to CALPADS
 - Data entry occurs by all special education service providers and case managers.
 - More users = great margin for error.
 - Ongoing SEIS Technical Support
 - District & Site Collaboration
 - Weekly Error Reports and Follow Up



CDE Corrective Actions

CDE Corrective Actions

❖ S-0297-20/21

- Eight (8) Corrective Actions
- Provide weekly progress updates to CDE

❖ S-0401-20/21

- Seven (7) Corrective Actions

❖ April 8, 2021 CDE Update

- District is out of compliance
- A progress update on all corrective actions is provided on the following slides.



S-0297-20/21

1. Student One Assessments- **IN PROGRESS**
 - a. District shall provide evidence regarding completed student assessments
 - i. Student has disenrolled from SCUSD.
 - ii. District staff are working to legally obtain assessment reports, completed IEP, and compensatory service plan (if applicable).

2. Report to Board of Education- **COMPLETED & Awaiting CDE Review**

3. Design and Deliver a Training- **IN PROGRESS**
 - a. A recorded training was delivered to all required participants on March 18, 2021.
 - b. District staff written verification of attendance is being continuously provided as more participants complete the training.

S-0297-20/21 Cont.

4. List of Overdue Initial or Triennial Assessments- **IN PROGRESS**
 - a. *The list shall include the current progress on the students' assessments and the date in which an IEP meeting will be held to review the assessment data.*
 - b. Overdue from March to November 20, 2020
 - c. Weekly lists are being updated and provided to CDE to show the District's progress in these areas.

5. Plan ensuring all overdue assessments will be completed by July 30, 2021- **IN PROGRESS**
 - a. The plan has been responsive to District's negotiations process.
 - b. A revised plan was submitted on Friday, April 16th in alignment with the District's current agreement with SCTA to conduct assessments and consists of four phases.

S-0297-20/21 Cont.

Plan ensuring all overdue assessments will be completed by July 30, 2021- **IN PROGRESS**

- Phase 1 & Phase 2
 - Challenges anticipate progress completion.
- Phase 3
 - Based on current outstanding assessments & using the psycho-educational evaluation as a baseline for length of time to complete an assessment--the District anticipates completing 70 assessments per week or 634 assessments by June 17, 2021.
 - This # falls short by approximately 700 assessments.
- Phase 4
 - SCUSD has requested to meet with SCTA to reach an agreement in regards to SCTA members conducting special education assessments over the summer and contract with non-public agencies.

S-0297-20/21 Cont.

6. Parent Communication- **COMPLETED & Awaiting CDE Review**
 - a. Letters translated into five (5) languages and were sent to families on March 12, 2021

7. Weekly Spreadsheets or Weekly Reports- **IN PROGRESS**
 - a. Nine weekly updates have been provided showing the District's progress in completing initial and triennial assessments from March to November 20, 2020
 - b. Alignment with corrective action #5

8. Determine Compensatory Services- **IN PROGRESS**
 - a. The District is working to develop an appropriate process for determining compensatory services vs. learning loss related to the pandemic.

S-0401-20/21

1. Student One Assessments- **IN PROGRESS**
 - a. District shall provide evidence regarding completed student assessments
2. Report to Board of Education- **COMPLETED & Awaiting CDE Review**
3. Design and Deliver a Training- **COMPLETED & Awaiting CDE Review**
 - a. A recorded training was delivered to all required participants on March 18, 2021.
 - b. District staff written verification of attendance has been submitted.
4. Plan ensuring all overdue assessments will be completed by May 1, 2021- **IN PROGRESS**
 - a. The plan will align with the plan for S-0297-20/21 as it is inclusive of all students and outstanding assessments.

S-0401-20/21

5. Parent Communication- **COMPLETED**
 - a. Letters translated into five (5) languages and were sent to families on March 12, 2021

6. Weekly Spreadsheets or Weekly Reports- **IN PROGRESS**
 - a. *The list shall include the current progress on the students' assessments and the date in which an IEP meeting will be held to review the assessment data.*
 - b. Overdue from March, 2021 - July 30, 2021

7. Determine Compensatory Services- **IN PROGRESS**
 - a. The District is working to develop an appropriate process for determining compensatory services vs. learning loss related to the pandemic.

Next Steps



Collaboration

- ❖ Continue to collaborate with the California Department of Education (CDE) & labor partner (SCTA) to achieve the goal of completing all outstanding special education assessments by July 30, 2021. A meeting is being scheduled with CDE's team for next week.
- ❖ Collaborate with the District's Communications team to identify a means for displaying outstanding and completed assessment data.

Thank You