



Special Education: CDE Notification of Continued Noncompliance

Board Meeting
Thursday, May 16, 2024
Agenda Item No. 9.7

Presented by:

Geovanni Linares, SELPA Director
Yvonne Wright, Chief Academic Officer

SCUSD Core Value and Guiding Principle

SCUSD CORE VALUE

We recognize that our system is inequitable by design and we vigilantly work to confront and interrupt inequities that exist to level the playing field and provide opportunities for everyone to learn, grow and reach their greatness.

SCUSD GUIDING PRINCIPLE

All students are given an equal opportunity to graduate with the greatest number of postsecondary choices from the widest array of options

Special Education Acronyms

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|--------------|--|
| CCEIS | Comprehensive Coordinated Early Intervening Services |
| CDE | California Department of Education |
| IDEA | Individuals with Disabilities Education Act |
| FAPE | Free Appropriate Public Education |
| LEA | Local Education Agency |

Continued Noncompliance

- On April 22nd, CDE sent a letter to the Sacramento City Unified School District sharing concerns about the provision of support and services for students with disabilities as required under the Individuals with Disabilities Education Act (IDEA).
- Federal and state law require that the CDE, as the state educational agency, enforce local education agency (LEA) compliance with the laws that guarantee children with disabilities a free appropriate public education (FAPE) (Title 20, United States Code Section 1412[a][11]; Title 34, *Code of Federal Regulation (CFR)* Section 300.600; *California Education Code (EC)* Section 56000).

Continued Noncompliance

CDE identified the following areas of non-compliance

- 2023 CIM for Comprehensive Coordinated Early Intervening Services (CCEIS) Abbreviated Action Plan
- 2022 CCEIS Quarterly Progress and Expenditure Reports 2-5
- Smalls Unit Compliance Self Review Test Items 3-5-8, 5-1-5, 3-2-3, 3-2-5, and 4-1-5, in which sufficient evidence was due to the CDE on December 1, 2023
- Complaint Corrective Action Case Number 0297-20/21
- Complaint Corrective Action Case Number 0401-20/21
- Complaint Corrective Action Case Number 0426-23/24

2023 CIM for Comprehensive Coordinated Early Intervening Services (CCEIS)

- CCEIS Plan - A mandated plan to address the areas of significant disproportionality for which the district has been identified
- Areas of disproportionality:
 - a. African American students identified as Emotionally Disturbed
 - b. African American students suspended more than 10 days
- Multiple iterations of a plan have been submitted to CDE dating back to September 2023. CDE requested adjustments to the plan and those have been provided. CDE has approved SCUSDs plan as of May 1, 2024.

2022 CCEIS Quarterly Progress and Expenditure Reports 2-5

- After having initially approved the 2022 CCEIS plan in May of 2023, the plan was disapproved due to a need to update the target population based on needed demographic data.
- The 2022 plan was amended to reflect a similar breakdown as the 2023 plan.
- CDE re-approved the 2022 plan as of May 1, 2024 and the updated Quarterly Progress and Expenditure Reports have been submitted to CDE.

Smalls Unit Compliance Self Review Test Items 3-5-8, 5-1-5, 3-2-3, 3-2-5, and 4-1-5

- CDE has identified that dependent charter schools under a large SELPA constitute a “small LEA”. As such, some of our charters have been selected as needing monitoring. The process includes 3 steps:
 - a. Policies and Procedures Review (Completed and approved December 2023)
 - b. Educational Benefit Review (Completed and approved December 2023)
 - c. Student Record Review (SELPA is supporting the sites to complete this task. The targeted date for completion is June 1, 2024)

Complaint Corrective Action Case Number 0297-20/21

- CDE determination that during COVID, SCUSD did not conduct or complete special education assessments for students within 60 days of receiving signed assessments.
- SCUSD received the first Investigation Report from CDE which highlighted eight corrective actions, including providing compensatory education.
- 7 of 8 corrective actions are completed
 - a. Remaining corrective action is the provision to provide compensatory education to affected students.

Complaint Corrective Action Case Number 0401-20/21

- CDE determination that during COVID, SCUSD did not conduct or complete special education assessments for students within 60 days of receiving signed assessments.
- SCUSD received the second Investigation Report from CDE which highlighted eight corrective actions, including providing compensatory education.
- 7 of 8 corrective actions are completed
 - a. Remaining corrective action is the provision to provide compensatory education to affected students.

Complaint Corrective Action Case Number 0426-23/24

- CDE determination that SCUSD failed to implement a settlement agreement in a timely manner.

District Status

- CDE intends to impose special conditions on the use of the SCUSD's apportionment of funds by directing a portion of such funds to be utilized by the SCUSD to engage the services of a Technical Assistance Facilitator (who shall be appointed by the CDE) who will collaborate with the SCUSD to secure prompt and comprehensive compliance with the corrective actions.

Questions & Answers