

TRI-VALLEY SPECIAL EDUCATION
LOCAL PLAN AREA (SELPA)

SECTION 4

FISCAL ALLOCATION PLAN

LOCAL PLAN
FOR SPECIAL EDUCATION

Revised June, 2016

FISCAL ALLOCATION PLAN

GOVERNANCE

The Tri-Valley Special Education Local Plan Area (SELPA) is composed of six districts, or local education agencies (LEAs): Alameda County Office of Education, Dublin Unified School District, Livermore Valley Joint Unified School District, Mountain House Elementary District, Pleasanton Unified School District, and Sunol Glen Unified School District. Its purpose is to assure access to special education services for all disabled students residing within the Tri-Valley area.

The governing body of the SELPA, as set forth in the Tri-Valley SELPA Local Plan, is the Governance Council. The Governance Council is composed of a trustee and superintendent or designee from each district or local educational agency (LEA), except for Mountain House Elementary District which has a trustee on the board but does not have a superintendent. Each district has one vote. One of the responsibilities of the Governance Council is to allocate, among the participating LEAs, those public funds which are received to support special education programs, and to review on an annual basis the efficacy of the allocation procedures.

The Pleasanton Unified School District serves as the Administrative Unit (AU) of the Tri-Valley SELPA. The AU receives and distributes funds in accordance with the adopted SELPA plans.

The SELPA Director coordinates the administration and implementation of the Tri Valley SELPA Local Plan. The SELPA Director is subject to the AU's policies and procedures for day to day operations, but receives direction from and is responsible to the Governance' Council.

SELPA Level Workgroups composed of members of the Director's Council and Finance Committee will ensure the equity of the fiscal allocation model by reviewing any disparity in local support required by the individual LEAs. The workgroups will determine the factors and causes of the disparity and make recommendations to alter the allocation model as needed.

TRI-VALLEY SELPA FUNDING ALLOCATION MODEL

Most of the funds allocated to the Tri-Valley SELPA are distributed to districts on the basis of average daily attendance (**ADA**), which is determined based on P-1 (first interim), P-2 (second interim) or P-Annual reports, or on **pupil count** (the number of students with IEPs) which is based on the December 1 CASEMIS report of the prior year.

STATE FUNDS

AB602 – State Special Education Funds (Resource 6500). The Tri-Valley SELPA pays for the administrative costs of the SELPA from AB602 State Special Education Funds, including indirects paid to the AU. Out of Home Care (OOHC) and Low Incidence funds are backed out. The remaining AB602 dollars are allocated to districts based on the following formula:

1. After backing out administrative costs, OOHC and LI funds, the remaining AB602 funds are added to the Federal Local Assistance Grant and Property Tax revenues.
2. The total of these three revenue streams is divided by the ADA of the SELPA to obtain an equalized per ADA figure.
3. Each district is allocated an amount equal to the equalized per ADA figure times the district's ADA.
4. Federal Local Assistant Grant (IDEA) and property tax allocations (based on pupil count) are subtracted from this district total

5. The remaining dollar amount (the difference between the total equalized district allocation (c) and the federal IDEA and property tax allocation based on special education pupil count (d) is the amount of actual AB602 funds that are allocated to each district.

State Out of Home Care Funds (rolled into Resource 6500) are allocated based on a prorated share of the previous year's actual out of home care expenditures as reported by districts.

Low Incidence Funds (rolled into Resource 6500) are used at the SELPA level to purchase IEP-based materials and services for individual students who need equipment or specialized services due to having low incidence disabilities (Deaf/Hard of Hearing [DHH], visual impairment [VI] or orthopedic impairment [OI]). Applications for low incidence equipment or services are brought forward by district special education directors and are accompanied by IEP paperwork establishing that the student has a primary or secondary disability of DHH, VI or OI, and an IEP-based need (related to the low incidence disability) for the equipment or service being requested. Unexpended funds are carried forward into subsequent years. The SELPA office will maintain an inventory of low incidence equipment and every effort will be made to utilize existing functional equipment before purchasing new equipment. Low Incidence equipment shall be returned to the SELPA when the student for whom it was purchased outgrows it or it is otherwise no longer needed for the student to obtain a free appropriate public education.

Infant Discretionary Funds (Resource 6515) are allocated based on current year 0-2 year old pupil count.

State Mental Health funds (Resource 6512) are used to pay for Educationally Related Intensive Counseling Services (ERICS) and administration of the ERICS clinical programs at the SELPA level. Indirect costs to the AU for mental health services are also taken from this revenue. Remaining funds are allocated to districts based on ADA to be used to support mental health services for students with disabilities.

FEDERAL FUNDS

Federal Local Assistance Entitlement (IDEA) Funds (Resource 3310) are allocated to member districts based on K-12 special education pupil count as determined by the prior year's December 1 CASEMIS report.

Federal Preschool Grant Funds (Resource 3315) are allocated based on age 3-5 preschool pupil count (including age 5 transitional kindergarten [TK] students) as determined by prior year's December 1 CASEMIS report.

Preschool Local Entitlement Funds (Resource 3320) are allocated based on age 3-5 preschool pupil count (including age 5 TK students) as determined by prior year's December 1 CASEMIS report.

Pre-Kindergarten Staff Development Grant Funds (Resource 3345) are allocated to districts based on prior year age 3-4 pupil count.

Federal Part C Infant Funds (Resource 3385) are allocated based on a historical pattern of distributing \$45,757 to the ACOE program that serves students ages 0-2 who are not solely low-incidence, and retaining the remaining \$108,896 to serve solely low incidence infants through the SELPA infant program.

Federal Mental Health Funds (Resource 3327) are allocated to districts based on prior year P2 ADA to provide mental health support to students with disabilities.

COUNTY FUNDS

Property Tax Funds are allocated directly from the county to districts based on pupil count as determined by the prior year's December 1 CASEMIS report.

FUND RESERVES

The Tri-Valley SELPA holds aside 5% of salary and benefits in both the Administrative and Mental Health budgets. Unused reserves are carried forward into the subsequent year's budget.

PROPOSED ALLOCATION PLAN CHANGES

As of May, 2016, the Tri-Valley SELPA member districts have committed to engage in a process to adjust the allocation formula to better serve students in Tri-Valley SELPA schools. Specifically the new plan will address distributions to districts that take into account district program needs, the unique needs of small districts, and the need for a reserve fund. This section of the Local Plan will be amended by June 30, 2017 to reflect any changes to the allocation plan described herein.

ALLOCATION DISTRIBUTION CYCLE

AB602 apportionments are processed through the Alameda County Office of Education (ACOE) and are included in the member district's Monthly Principal Apportionment. The AU fiscal office submits to the ACOE the allocation spreadsheet provided by the SELPA office and any changes thereafter due to P1, P2, and P-Annual certifications. The ACOE uses the allocation spreadsheet to distribute funds to member districts.

For all other funds, annually, upon receipt of grant letters, the SELPA office creates purchase orders which are used to distribute funds to member districts. As funds become available, Notices of Apportionment Income are sent from the Alameda County Office of Education to the AU fiscal office, and are forwarded to the SELPA office. Within ten (10) days of SELPA's receipt of these notices, distributions are calculated based on the formulas listed above, and the notices are returned to the AU for processing. Typically districts can expect to receive their distribution within two weeks of the date the SELPA returns the apportionment notices to the AU.

INDIRECTS

The Administrative Unit (AU) charges an indirect fee equal to the state indirect rate times all SELPA expenditures except for low incidence purchases. This fee covers use of space, utilities, human resources, fiscal department, technical and janitorial support and de minimus use of other AU resources.

SERVICES TO PARENTALLY PLACED PRIVATE SCHOOL STUDENTS WITH DISABILITIES

The SELPA calculates the proportional share of each district's Federal Local Assistance Grant by determining the number of Code 20 (Individual Services Plan) and Code 70 (Eligible, Parentally Placed in a Private School) students in the Special Education Information System (SEIS). Annually, a meeting is held to which all administrators of private schools located in the Dublin, Livermore, Mountain House, Pleasanton and Sunol districts are invited. Participants discuss and recommend services or supports to be made available to students with disabilities attending private schools, including services and supports to staff members of private schools. Each district is responsible for using a proportionate share of its Federal Local Assistance (IDEA) grant to support private school special-education-eligible students and their staff. The proportionate share for each district is calculated by multiplying the number of Code 20 and Code 70 students in the district times the per student Federal Local Assistance allocation. Districts will annually provide to the SELPA information and back-up documentation addressing how its private school proportionate share funds have been spent to support students in private schools.

EXTRAORDINARY COST POOL APPORTIONMENT

Any revenues received as a result of a successful application to the state's Extraordinary Cost Pool will be distributed to the district(s) from which the claim(s) originated, in proportion to the amount of their successful claim.

FEE FOR SERVICE (BILL BACKS)

The Tri-Valley SELPA has developed a process for determining the excess costs (costs in excess of revenue) of educating students in neighboring districts. In general, if students are enrolled in (counted on the rolls of) the serving district, the bill back formula will deduct from the final bill any and all general education and special education revenues received for the non-resident student. If the student remains enrolled in their home (residential) district and

the home district receives the revenue generated by that student, the bill back formula will not deduct general and special education revenues received by the home district.

Bill back invoices will be generate based on classroom enrollment on December 1 and April 1 of each academic year (or the first day all participating districts are in session if that date falls on a weekend or school break).

Each district serving non-resident students under the Tri-Valley SELPA bill back agreement is responsible for providing the SELPA with information needed to complete the invoices, including the average teacher and paraprofessional salary and benefits, actual related services costs for individual non-resident students (e.g. OT, vision services, behavior support, 1:1 paraprofessional), and the number of students in each classroom serving a non-resident student. The SELPA will create a bill back form for each bill back arrangement (between two districts) within ten days of receipt of all required information. This form will state the cost per student being served under this agreement. The bill back form and supporting documentation will be provided to the district special education directors (or superintendent or designee of a smaller district) who will review and sign the agreement. Each individual serving district will create its own invoices for neighboring districts with which it has such an agreement.

NONPUBLIC SCHOOL (NPS) and NONPUBLIC AGENCY (NPA) CONTRACTS

The Tri-Valley SELPA is a member of the Bay Area Collaborative (BAC). As such it participates with other regional SELPAs in the development of a Master Contract and a rate sheet reflecting rates negotiated with regional NPSs and NPAs. Annually the SELPA will participate in the development of the Master Contract and NPS/NPA rate sheet, and will provide these to member districts. Each district is individually responsible for developing its own contracts and Individual Service Agreements (ISAs) with NPSs and NPAs and for all billing associated with those contracts.

SANCTIONS

In the event that any district in the Tri-Valley SELPA is subject to financial sanctions that result in a withholding of special education funds, the sanction amount will be deducted from the allocation to the penalized district, and all other districts will continue to receive the full amount due to them, except by an alternate arrangement determined by the Tri-Valley SELPA Governance Council.