**IN ATTENDANCE**:

**Board Members:** Dan Nelson (Mountain House); Joan Laursen (Pleasanton); Megan Rouse (Dublin); Denise Kent-Romo (Sunol); Chris Wenzel (Livermore)

**Staff/CAC:** Nanette Gray (SELPA); Correna Kelley (SELPA); Rebecca Williams (SELPA); Shubala Mani (SELPA); David Bona (CAC); Frank Selvaggio (Livermore); Tara Kyle (Dublin); Sheilagh Andujar (ACOE); Molleen Barnes (Sunol Glen); Kenneth Goken (PUSD)

**GUESTS:** Ed Diolazo, Assist. Supt. (Pleasanton); Dr. Matthew Campbell, Assist. Supt. (Dublin); Monica Vaughn Assist. Supt. (ACOE)

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE: 6:03PM**

Joan Laursen called the meeting to order.

1. **APPROVAL OF AGENDA**

A motion was made to approve the agenda was made by Megan Rouse and seconded by Chris Wenzel. Those present unanimously approved the motion.

1. **APPROVAL OF MEETING MINUTES: June 15, 2020**

A motion was made by Megan Rouse to approve the minutes of the Board Meeting held on June 15, 2020 Chris Wenzel seconded. Those present unanimously approved the motion.

1. **REQUESTS TO ADDRESS THE BOARD**

No public requests were made.

1. **ITEMS FOR REPORT, DISCUSSION AND POSSIBLE ACTION**

**a. End of Fiscal Year Budget Report (report, discussion)**

**i. FY 2019-2020 Clinical Services Budget**

Correna Kelley explained, there will be a large surplus on office supplies due to the closure of schools. Clinicians to supply and make a Zen room for students. As all in person conferences were cancelled and no mileage incurred, there will be a surplus to that budget as well. In October, the carryover was approved and will be used in Counseling Enriched programs. After March, there was a surplus due to COVID. Clinical Services will keep $25,000 as carryover for the 2020-21 school year. Joan clarified about the non-allowable expenses are being moved to the AU budget, mileage, staff supplies, etc.

**ii. FY 2019-2020 Administrative Unit (AU) Budget**

Nanette Gray discussed that salaries were spot on to the projected burdens for the year. The non- allowable expenses were revised in January for Clinical Services. March is when the expenses began to show up under the AU budget. There are leftover funds due to COVID in the categories of office supplies, books, etc. The website hosting account for Go Daddy is billed every three years, and was not taken into consideration for this year, showing an expense outside of the approved budget. $118,000 was used for an Early Start- Speech and Language Pathologist from Contracted services. In the Clinical Services merged budget, only $16,000 was spent from the $100,000 allotted. The dashes represent cell phone and telephone charges that will be updated at a later date to represent the accurate amount. Indirect cost will be most of the telephone cost. There will be a $73,000 carryover for the upcoming year 2020-2021. Joan asked that if it is only non-allowable expenses, suggesting a different title. Try to have it broken out; the Board would like to know what the overall total is.

**b. Approve Budgets for 2020-2021 (report, discussion, action)**

**i. Clinical Services Budget**

Shubala Mani spoke that the proposed budget is based on previous years, when compared to 2019-20 budget; you will see last year there was a 9.5 FTE, 2020-21 has 10 FTE. Increase can be seen in budget code 1900; the second adjustment is under budget code 3000. This is an adjustment from previous years and included .5 FTE in burdens has been added. The second portion, includes the non-allowable amount of $86,500 (was set aside last year) this year the non-allowable expenses from Clinical Services to be added to the AU Budget is $87,500. Even with FTE increase, the budget is lower than previous year. Funds will be moved to appropriate account codes. A motion was made by Megan Rouse to approve, Chris Wenzel seconded the motion. Those present unanimously approved the motion.

**ii. AU Budget**

Shubala Mani spoke that there are two parts of the AU budget; a salary section and a combined expenses section to be explained. Under the salary section in comparison to last year there is an increase to the Speech and Language Pathologist and Certificated Personnel budget. For AU, that is the only section that will have an increase, otherwise the budget will remain the same as 2019-20. Under the Combined Expenses section, there is no change for AU. For Clinical Services, books and office supplies are reduced and extra funds go to budget code 5881 for Contracted Services. The only increase in Clinical Services is contracted services for the combined funds. Joan Laursen asked, since there is such a significant carryover is the remainder distributed back to Districts? Shubala answered yes, and that SELPA will be holding 10% of reserves for Extraordinary Cost Pool, keeping 10% reserve in addition to the $25,000 carryover. There will be a little over $200,000 to redistribute to districts. There is no need for Board approval to redistribute carryover to districts. Chris Wenzel asks was the 10% board approved. If so, going forward, should we discuss SELPA keeping 15%? Nanette states that for now, 10% is enough to hold for reserves. The amount that goes back to districts is based on prior year ADA, SELPA is currently working with Fiscal Department to send back funds. Megan Rouse asks if the Board members are to let their districts know about the funds to will SELPA? Nanette states SELPA will notify all LEA Fiscal Directors. Chris would like to see the exact dollar amounts listed for next Board Meeting. A motion was made by Megan Rouse to approve, Chris Wenzel seconded the motion. Those present unanimously approved the motion.

1. **STANDING REPORTS**
2. **TRI VALLEY DIRECTORS COUNCIL**

**i.** Tara Kyle gave an update on behalf of Jennifer Chiarelli for Dublin USD; staffing has been re-assigned, there is a new teacher for the new CE classroom. Dublin is using many contractors, mostly for Speech Services. A Professional Development held at the beginning of the year with all staff, covering Zoom and Canvas training. Dublin is Significantly Disproportionate with African American students and Hispanic students in the qualification of specific learning disability. In addition, they are significantly disproportionate with African American students in discipline. Assessments have been difficult, just starting to do in person assessments with safety procedures/protocols. Looking at online assessment platforms since not all can be done in person.

**ii.** Frank Selvaggio gave an update for Livermore Valley Joint USD. Proceeding with small group cohorts, bringing back CE contracted classes, in person support went well, looking at it as a “test case”. Staff at Elementary level were in full protective gear and the students responded well, no resistance to wearing masks. Holding virtual assessments, having all Speech and Language Pathologists, Teachers, Behaviorists, Occupational Therapists and Psychologists in virtual assessment training. Started last week in person assessments, about 25 staff doing this right now. Purchasing air purifiers seemed to be a relief for staff, in person.

**iii.** Kenneth Goken gave an update for Pleasanton USD. Two meetings were held and Ken is working with Jeni Rickard to get ready Speech and Language Pathologist openings and working on filling positions. Working with the CDE order for cohorts, in person, and at home in person. Assessments. Ken has attended IEP meetings, which allows him the opportunity to help solve problems collaboratively to avoid a litigious resolution. Will continue to work one meeting, one site and one group at a time.

1. **COMMUNITY ADVISORY COMMITTEE**

David Bona, Co-Chair for the CAC gave an update. Looking at possible virtual resource fair, collecting data from families as to how to go about doing a virtual fair. A number of parents are requesting Staff Development trainings.

1. **ASSISTANT DIRECTOR FOR CLINICAL SERVICES**

Correna Kelley gave an update for Clinical Services; she stated there have been many opportunities for Professional Development, the SELPA clinicians sat on a panel for Mental Health at the Resource Fair, attended a Trauma Informed Care training at Dublin HS Theater. In pulling the $100,000.00 carryover back, it helps to provide these trainings. Clinical Services received great feedback from the parent night held February 23. The Counseling Enriched Classrooms have been having a hard time, but the students are doing well. SELPA is proposing to use a vendor such as Juvo or Gateway to help with the classrooms. When there is an outside entity assisting, there is a different buy in from teachers and staff as opposed to internal trainings.

1. **SELPA SENIOR DIRECTOR**

Nanette Gray gave an update for SELPA, the child find brochure has been updated, a link included. Ed Diolazo did a wonderful job explaining about the lawsuit that came out of New York, and would like to make sure the Board is aware of this lawsuit. Nanette asks Ed to discuss the lawsuit. Ed explained that there have been three legal decisions re Special Education. Two due process hearings have been held, motions for hearings, corrective actions, many ways for parents to file against school districts. Judges make rulings on the lawsuits. Districts are required under “stay put” to provide IEP services as written in the IEP in person. That ruling has been out for 2 weeks, a big discussion at SELPA and State levels. Final Decision about stay put and in person instruction. LA USD went through Due process; ruling indicated that student was entitled to minute-by-minute instruction. No relief to IDEA found that LA USD needed to provide as written on IEP. Now we have to reflect on recent rulings to see how it affects school districts. Two Federal class action lawsuits one is from NY, one from CA, indicating that students with IEPs (because there is no relief or relaxation to IDEA) districts are required to provide services. Will need to provide to legal counsel as almost all districts in California have been served with this lawsuit. How Districts will provide services, to students, provide PPE, talk to labor unions, etc. How to serve students. Nanette continues- positive news, getting more money for Low Incidence funds and AB602. The ADA rate previously was $530, will be going to go up to $625. Low Incidence monies were previously $466 and will be going up to $2900 per student, with the funds going directly to districts. Presenting this to Special Education Directors Council on Friday, how to make this more equitable. Will start the conversation with Special Ed Directors, then to Fiscal Directors, then on to Governance Board. ACOE is not generating these monies, but can use funds, same with Sunol and Mountain House.

1. **BOARD DISCUSSION / REQUESTS**
   1. Board Discussion included:

Chris Wenzel asked, “Can districts could counter sue the federal government for not meeting their obligations?”

Ed Diolazo responded, “Federal IDEA level has never been fully funded or met, the gap has gotten worse. In terms of who would countersue, whom would they sue, how would that look?”

Chris Wenzel noted, “I tried the route of going to Washington DC; it has to been kept on the forefront, with Federal government making demands but not keeping up their side.”

Ed Diolazo added, “The one area that is sued often is Special Education, even with the lack of funding. It is easy to sue Special Education because the federal mandates are there and there is no relief or relaxation. Parents and students are stuck in the middle. Trying to work with labor groups, but still need to have all these procedures in place.”

Joan Laursen stated, “There is a challenge with these rulings, they do not have to appreciate the challenge, they can choose to sue because services not being provided. Do we contract out, if our employees will not do the work?”

Chris Wenzel commented he is, “Not running for reelection but I’m not going away, I might show up for public comment.”

Joan Laursen, “I always appreciated your voice Chris and you always raised good questions.”

Chris Wenzel concluded with, “It has been an honor to serve and I will miss everyone on the board.”

* 1. Future Agenda Items

Joan Laursen requested an update on the actual Carryover amount from 2019-2020.

1. **ADJOURNMENT**

Meeting adjourned at 7:05 pm