

TRI-VALLEY SPECIAL EDUCATION LOCAL PLAN AREA BOARD OF TRUSTEES

MARCH 8, 2021 MEETING MINUTES

IN ATTENDANCE:

Board Members: Kristin Pelham (Dublin); Kristie Wang (Livermore); Dan Nelson (Mountain House); Kelly Mokashi (Pleasanton)

Staff/CAC: Nanette Gray (SELPA); Correna Kelley (SELPA); Rebecca Williams (SELPA); Shubala Mani (SELPA); Frank Selvaggio (Livermore); Jennifer Chiarelli (Dublin); Kenneth Goeken (Pleasanton)

GUESTS:

Dr. Matthew Campbell, Assistant Superintendent (Dublin); Ed Diolazo, Assistant Superintendent (Pleasanton), Monica Vaughan, Chief of Schools (ACOE)

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

Kristin Pelham called the meeting to order and led the pledge of allegiance.

II. APPROVAL OF THE AGENDA

A motion was made by Dan Nelson to approve the agenda and seconded by Kristin Pelham. Those present unanimously approved the motion.

III. APPROVAL OF MEETING MINUTES: January 11, 2020

A correction was noted by Monica Vaughan, on the spelling of her last name as well as her title. Motion was made by Kristin Pelham to approve the minutes and seconded by Dan Nelson. Those present unanimously approved the motion.

IV. REQUESTS TO ADDRESS THE BOARD

No public requests were made.

V. ITEMS FOR REPORT, DISCUSSION, AND POSSIBLE ACTION

a) Update on SELPA budgets (report, discussion)

i. FY 2020-21 Clinical Services

Shubala Mani gave a brief update on the Clinical Services 2020 budget. There have not been many changes since the last Governance Council meeting; the majority of the budget is salaries and benefits which totaled \$249,514.00. \$5659.00 of expenses are shown under the AU budget for non-allowables.

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ii. FY 2020-21 Administrative Unit (AU)

Shubala Mani gives an update on the Administrative Unit budget. In the AU salaries are the major expenses since the last Governance Council meeting. Under section 2400 there are overtime expenses, totalling \$272.00. The combined expenses under 4300 are office supplies, for the AU. Section 5200, travel and conference shows legal conferences for the Senior Director, Assistant Director and staff. 5300 is for dues and membership; SELPA AU has yearly expenses, \$1265.00 is a membership charge. Contracted services under 5881, the AU expense is for the Early Start program, using translation services. For Clinical Services under 5881, the cost was for JUVVO, student assessments \$5444.00. For AU expenses it was \$17,710.00 Totalling \$75,138 for the update. Nanette stated the overtime cost was for the Executive Secretary working on the Resource Fair.

b) Overview of Special Education Finance (report, discussion)

Nanette Gray discusses the Special Education Finance presentation. The Local Plan provides control over how SELPA provides services, it is part of the CA Education Code on how SELPA finds and seeks students who have disabilities. SELPA has mandated assurances, policies and procedures, state and federal codes. In the Annual Service Plan, SELPA must document Speech, PT services, etc and work with each LEA to determine if it is accurate. The Annual Budget plan is what each LEA determines on spending estimates. The Account Technician works closely with all Fiscal Directors to ensure the reports are submitted to CDE on time. The responsibilities shown are governance support, program and parent support (CAC) fiscal functions, and professional development put on by SELPA based on feedback from Directors, Assistant Superintendents, and feedback from parents. Clinical Services provides Professional Development for mental health and behavior.

A brief history of the Special Education Funding, prior to 1980, the funds were based on disability and how severe. If a student was placed in SDC districts would receive more money than if a student was in mainstreamed. The state found a huge problem with districts placing students in most restrictive environments. The idea was that the more the student is restricted the more money it costs to educate them. In 1998 funding changed due to AB602 which based funds on ADA and all students were included in the count, which still stands today. The count is not based on SPED Pupil count but SELPA wide ADA.

Governor Newsom, leveled the playing field when equalizing funds, some Districts were getting \$1,000 vs \$400 per ADA. There are 135 SELPAs within California and each has their own Allocation plan. Some SELPAs have 42 LEAs, Tri-Valley has five LEAs and one Count Office of Education, none will be the same. Governance Board, with help of CAC, Special Education Directors, etc., the allocation plan needs to be done locally which is included in the paper packets for review.

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Certain funds come off the top to run Clinical Services, the Administrative Unit and small LEAs, Mountain House and Sunol Glen. Some SELPAs have weighted formulas on how they provide services, some retain funds vs. sending funds to LEAs. In 2019-20 fiscal year there was an increase in State Target Rate, 3.26% COLA. Tri-Valley was hovering at a low rate of \$557 per ADA, but in the 2020-21 fiscal year there was an increase so that all districts are now getting \$625 per ADA. For the Tri-Valley SELPA, that was approximately \$2.7 million dollars.

Who pays for what? The State of CA under AB602, was giving 27% of funding, LCFF was 64% and Federal was 9%. Updated in 2019-20, the Federal government 7.96%, State 25.1% and LCFF 67%. AB602 includes State Aid, Property Taxes, Local property taxes. We hold regionalized services funding to pay for AU budget, any leftover is distributed to LEAs. Funding Exhibit can be viewed for P1 and P2 for funding, link included in presentation. CALPADS information is critical to receiving funding for Low Incidence disability. The funding was increased from \$400 to \$1269 per student. The money must be tied to the student's IEP. Because of such a large increase, some SELPAs are struggling to spend this money. The Extraordinary Cost Pool is for students whose cost to educate is more \$81,627.73.

Grants that SELPA receives; 3310 Federal Grant, Federal Preschool Grant. There is a federal Infant Grant, which is a very small grant shared with ACOE due to serving Infants. ADR Grant, when parents don't agree with Districts and placements, this funds ways to support parents, training, conferences, etc. Because we anticipate more disputes, SELPA applied for COVID 19 ADR Grant \$73,00. Workability funding goes straight to Pleasanton USD, Medi-Cal billing funding goes straight to LEAs and does not come through the SELPA. Unrestricted Revenues can be spent on anything, general fund contribution, MAA money, we also receive one time funding for Preschool students that goes straight to LEAs.

Maintenance of Effort won't allow cuts to costs, the fiscal teams know how to move money in order to cut costs, if there are unallowables. Federal law requires spending to be the same as the prior year. With schools not being in session due to the Pandemic, there will be a big decrease in Maintenance of Effort, due to costs decreasing. SELPA allocates Preschool funding to LEAs that have preschool programs, Dublin, Pleasanton and Livermore. Mental Health funding off the top and how we support Clinical Services.

What was promised from the Federal Government was 40% of costs, State 45% Local 15%, local contribution is much higher than federal funding even though it was promised. The ADA is decreasing although the costs of Special Education are increasing. Challenges include staff; hiring, retaining, it is difficult to retain due to cost of living within the Bay Area. Services costs are increasing, transportation costs increase, the number of students increases, related services. Decrease in the ADA for Districts. Across the state, SELPAs and LEAs have declining enrollment. Litigation costs are high in the Tri-Valley and the State, due process is part of the parental right.

The logo for Tri-Valley SELPA features a circular emblem with a mountain range, a sun, and a river. The text "Tri-Valley SELPA" is written around the perimeter of the circle. Below the emblem is a banner with the text "TRI-VALLEY SELPA".

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Trustee Mokashi asks, "In the discussion of enrollment going down, but needs going up for Special Education Services. Do you see this as a cycle, a trend? What are some of the primary issues in what additional services students are needing?"

Nanette Gray, "Districts are doing a better job of childfind, 20 years ago if a student had "good grades" they wouldn't qualify for special education services."

Ken Goeken- "increase in dyslexia identification."

Ed Diolazo- "statewide there are more students with more intensive needs, significant compromised health issues, when the state equalized the funding and changed from enrollment in SPED to ADA of SELPA the dollar became spread thin. SELPA is underfunded and when multi-tiered systems of support, SST, are in place and serving the students for what their needs are. The funding model hasn't caught up to the needs of Special Education. LCAP dollars are very important, we must voice our need for the dollars."

Trustee Mokashi- "How are Districts handling Dyslexia"

Nanette- "Dyslexia, falls under specific learning disability."

Trustee Mokashi- "It is important that the team collaborates with General Education teachers, staff, etc."

Ed Diolazo- "It is more involved there is a 2 prong rule, does the student qualify with a disability, under the 13 categories, the second do you need services. It does not equal automatically for special education, they may need reading intervention, different strategies."

Trustee Mokashi- "Parents may struggle with these ideas of students having disabilities, how to have Gen Ed and SPED teachers to reach our students."

Nanette Gray- "We are trying to support all students with tiered support, whether or not they qualify for special education."

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VI. STANDING REPORTS

A) Tri-Valley Directors Council

Jennifer Chiarelli gives an update for Dublin USD. The picture on the report is of a remote speech session, DUSD continues to increase enrollment with 1,023 eligible. Anticipating continued growth, parents were sent declaration letters, whether they want hybrid or DL, Learning hubs, secondary only. Continuing to have IEP meetings and assessments remote. Autism PD, March 25th offered by Kim McFadden on reinforcement. Partnership with Child Nutrition for delivering meals. Will continue through the end of the year. Sig Dis resubmitted plan. Found to be Significantly Disproportionate for a 2nd year, drafting a 2nd CSIS plan. Kristin Pelham asked, "Are more SPED families coming back or more Gen Ed?" Jennifer replies about $\frac{1}{3}$ of SPED students may be returning.

Ken Goeken gives an update for Pleasanton USD - enrollment went down, to 1,323. Projections could decrease elem but increase in HS, adding a CEC class, discussions with SELPA, and a Mod-Severe at Foothill. PD on 3/12, inviting Classified Staff, because of extra funds, minimum day teachers, there was Classified Staff. SELPA wide need for CEC HS program. Foothill, Village, ESY planning with Jeni Rickard, how can we make up in ESY? Make IEPs full. Prevent Compensatory Ed claims. Sig Dis, Shay Galleti, leading with GEn Ed staff, CDE wants to use the plan as an example. Sig Dis again, for Hispanic and SLD. Calendar of returning. Pushed back to 3/11 because of the Tiers.

Frank Selvaggio gave an update for Livermore Valley Joint USD. Livermore Plan to open 3/22 TK-12 high response of SPED 70% of kids to come back creating a challenge. Ongoing MH concerns, suicidal students, ideation or suicidal students, coming back in person will make a big difference.

Trustee Mokashi- "Is this HS students, are there trends? Struggling academically? Are there root causes? Home environment, lack of peer interaction?"

Frank Selvaggio- "Mostly HS students, 1 MS student, very isolated from peers."

Correna Kelley- "70% of assessments have been HS students, last 2 years HS has been about 50%. HS are struggling academically and socially. They need each other, it is part of their life. They are requiring residential treatment."

Trustee Mokashi- "are students a mix of SPED and Gen ed students?"

Correna Kelley- "If they come through SELPA they are SPED, there are concurrent assessments, which means they are being considered for SPED. Livermore tends to have a needier population, when it comes to MH Services. 50% are from Livermore."

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Trustee Pelham- "There will be an increase in need for services next year. It will explode.

Correna Kelley- "We kept thinking referrals were coming, but students have not been referred the same as previous years."

B) Community Advisory Committee

No report.

C) Clinical Services Assistant Director

Correna Kelley gives a report for Clinical Services, Professional Development for staff has been very successful, rolled over into school sites, Julie Kurtz is helping Pleasanton Middle School directly. Continuing with monthly workshops for classified staff, should continue to include classified staff in training. Schools are beginning to reopen across the SELPA, needing to be mindful of how COVID can spread across the SELPA with one clinician seeing 14 school sites. Trying to organize and plan for. Fall will be a change. The CEC programs are impacted, looking at next year, looking at next year, starting with full programs, from today. Not including upcoming assessments, or new referrals. Trustee Pelham asked, "How do we get the programs opened? Does Nanette bring that to the Board?" Correna answered that PUSD may find space and then work with executive cabinets to propose costs, etc., then take it to the board.

D) SELPA Senior Director

Nanette Gray gave an update for the SELPA. State SELPA Director gave a presentation, MOE fails for LEAs, they lose their funding dollar for dollar. The Early Start program was spotlighted for Pleasanton District, more professional development trainings are coming up; Jan Tomsy from Fagen, Friedman and Fulfrost, will give a training for PWN, refresher training. LEG day May 5th, meet with Assembly people, looking at the needs of SPED, bills will be coming forward, trying to highlight those bills for SPED. Virtual appointments with Assembly people, waiting for talking points, highlighted and encouraging parents to attend. Parents can give support and how SPED has given their student support. The Resource Fair was successful, there was only one parent who wasn't able to log in, for the most part, the presentations were well attended, equally or even better attended than previous years. The YouTube channel is live for parents, Bay East will donate gift cards to presenters. The Local Plan has been submitted to the county, waiting to hear back. It is due to the CDE at the end of June.

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VII. BOARD DISCUSSIONS/REQUESTS

Trustee Mokashi- "Noted that many districts have to submit plans for Significant Disproportionality is a challenge across the board. Can we have a discussion on ways to help address Significant Disproportionality, perhaps talk collectively for the next meeting."

Trustee Wang- "Would like to talk about the Fall, what should we be expecting, how can we prepare for needing additional resources?"

Nanette Gray- "Are you referring to programming, funding, etc."

Kristie- "Yes, and increased Mental Health needs, staffing, etc, increased litigation? How do we get ready?"

VIII. ADJOURNMENT

Trustee Mokashi made a motion to adjourn the meeting, Dan Nelson seconded the motion to adjourn at 7:40pm