



**EXECUTIVE COUNCIL MEETING MINUTES**

SELPA II  
April 23, 2021  
via Zoom Online

**MEMBERS PRESENT:**

<u>x</u> CUSD	Stacy McAfee-Yao	<u>x</u> SCCOE	Mary Ann Dewan
<u>x</u> FUHSD	Polly Bové	<u>x</u> SELPA AU	Leo Mapagu
<u>x</u> SESD	Michael Gallagher		

**OTHERS PRESENT:** Jennifer Willis (CUSD), Nancy Sullivan (FUHSD), Linda Van Mouwerik (SESD), Karen Santiago (SELPA), Marjorie Paeste (SELPA)

**TIME CONVENED:** 11:03 a.m.      **TIME ADJOURNED:** 11:18 a.m.      **RECORDER:** Rebecca Morris

**I. PUBLIC SESSION**

**A. Roll Call and Welcome of Guests**

Supt. Polly Bove called the meeting to order at 11:03 a.m. Roll was taken by Mr. Leo Mapagu.

**B. Hearing of persons wishing to address the Council**

There was no one wishing to address the Council.

**II. CONSENT ITEMS**

**A. Setting the Agenda**

Dr. Michael Gallagher moved to approve the agenda as presented. Supt. Stacy McAfee-Yao seconded and the motion carried, 4-0.

**B. Approval of minutes from the February 26, 2021 meeting**

Dr. Michael Gallagher moved to approve the minutes from the February 26, 2021 meeting. Supt. Stacy McAfee-Yao seconded and the motion carried, 4-0.

**III. ACTION ITEMS**

**A. SELPA Behavior Intervention Policy**

The SELPA Behavior Intervention Policy was revised to add language to explicitly address the issue on prone restraint and to prohibit its use. It also states that another staff member who is not involved in the restraint must be present and shall be responsible for monitoring the well-being of the student. A question was raised regarding residential placements that have different restraint policies. It was noted that this could be addressed through the IEP. Supt. Stacy McAfee-Yao moved to approve the revised SELPA Behavior Intervention Policy. Dr. Michael Gallagher seconded, and the motion carried 4-0.

**B. Change to SELPA II Budget Allocation Plan: Distribution of Low Incidence Funds for 2020-2021 and 2021-2022**

There is a proposal to change the 2020-2021 and 2021-2022 allocation of Low Incidence (LI) Funds based on the recommendation of SELPA II special education program and fiscal representatives:

- 20% - allocate to SELPA AU for purchase of LI equipment and materials only.
  - SELPA AU will process and purchase items that are \$500 or above – each item must cost \$500 or more.

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- SELPA AU will continue to use LI funds based on CDE guidelines, monitor inventory, and be prepared for any audit.
- SELPA AU will return any unspent LI funds to the districts using prior year (2019-2020) LI pupil count.
- SELPA AU will not reimburse districts since SELPA will return all unspent funds to LEAs.
- SELPA AU will return all carry-over funds from previous years to districts using prior year (2019-2020) LI pupil count.
- *80% - allocate to districts to spend on LI services and/or items less than \$500*
  - Districts will use LI funds based on CDE guidelines and be prepared for any audit.
  - SELPA will not reimburse districts since districts also receive LI funds.

Dr. Michael Gallagher moved to approve change in the distribution of low incidence funds for 2020-2021 and 2021-2022 as outlined above. Dr. Mary Ann Dewan seconded and the motion carried, 4-0.

#### IV. DISCUSSION ITEMS

##### A. **Countywide SELPA Base Rates and MOUs 1 & 2**

Director Leo Mapagu shared the timeline for informational meetings that have been held with district special ed administrators and fiscal representatives regarding the SELPA Base Rate equalization and MOUs 1 and 2. Meetings have also been held with SCCOE representatives and the South East Consortium for Special Education.

The impact of the MOUs on SELPA Base Rates was reviewed, as well as a comparison of the SELPAs' proposals. It was noted that Santa Clara SELPAs I, II, III, IV, VII and the South East Consortium for Special Education all prefer to eliminate MOUs 1 and 2 and pay the true cost of SCCOE Special Ed programs. Differences lie, however, in the distribution of excess revenue, effective date of implementation, and annual review: Santa Clara SELPAs I, II, III, IV, VII prefer to distribute excess revenue by SELPA ADA, while South East Consortium prefers by SCCOE SpEd Pupil Count; Santa Clara SELPAs I, II, III, IV, VII prefer implementation in 2020-21 or 2021-22, while South East Consortium prefers to implement in 2022-2023; Santa Clara SELPAs I, II, III, IV, VII prefer an annual review, while South East Consortium prefers a biennial review.

In an effort to reconcile the differences in preferences, Supt. Polly Bové recommended that the chairperson of the South East Consortium for Special Education be invited to SELPA I, II, III, IV, VII's Superintendents Rep Council meeting.

##### B. **Proposed 2021-2022 SCCOE Special Ed Block Rates**

The proposed 2021-2022 SCCOE Special Ed Block Rates were presented. Director Leo Mapagu noted the adjustments made by SCCOE to mitigate costs, such as reduction in the total number of classrooms, elimination of FTEs, and maintenance of the indirect cost at 9% (other SCCOE programs are at 9.67% indirect cost).



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#### C. SELPA Local Plan Updates

CDE released the templates for Local Plan Sections A (Contacts & Certifications), D (Annual Budget Plan), E (Annual Service Plan) and Attachments on March 18, 2021. A study session will be held with districts and CAC members to finalize sections of the Local Plan for submission to CDE on June 30, 2021.

#### D. SELPA Director Updates

##### 1) SELPA-LCAP Consultation

The SELPA office is working with SCCOE's District LCAP Advisory Services to fulfill the requirements of AB-1808.

##### 2) Alternative Dispute Resolution (ADR) Grants - NW SELPA applied for five ADR Grants (with a total of \$300k), that will help provide additional services to LEAs and families around Local Mediation, Facilitated IEP Meetings, Telephone Intermediary, Case Management, and Advisory Panel. The goal is to use these funds to assist parents and districts with issues brought about by COVID-19.

##### 3) CDE Compliance and Monitoring Activities – Director Mapagu provided a brief update on the 2020-2021 Disproportionality preview.

##### 4) SELPA Activities (fiscal, data/CALPADS, professional development) – Director Mapagu shared that 32 trainings have been held so far by the SELPA office, with more than 2,180 duplicated participants. Upcoming trainings were also shared. He also mentioned that SELPA Tax Allocations and Federal IDEA Expenditure reports have been submitted to CDE. Fall-1 data collection certification and Fall 2020 DRDP have been completed. Spring 2020 DRDP is ongoing, as well as the review of CALPAD SpEd discrepancy and DSEA extracts with LEA admins.

#### V. ADJOURNMENT

Supt. Stacy McAfee-Yao moved to adjourn the meeting at 11:58 a.m. Dr. Michael Gallagher seconded and the motion carried, 4-0.