

## EXECUTIVE COUNCIL MEETING MINUTES

SELPA III  
March 21, 2024

### MEMBERS PRESENT:

-	Cambrian	Kristi Schwiebert	-	Luther B.	Edith Mourtos
x	Campbell Elem	Heather Wellendorf for Shelly Viramontez	x	Moreland	Maggie Hong for Clover Codd
x	Campbell High	Robert Bravo	x	Saratoga	Kenneth Geisick
x	Lakeside	Lorrie Wernick for Sean Joyce	x	Union	Carrie Andrews
-	Loma Prieta	Kevin Grier	x	SCCOE	Mary Ann Dewan
x	Los Gatos	Misty Hartung for Paul Johnson	x	SELPA AU	Leo Mapagu
-	Los Gatos-Saratoga	Bill Sanderson			

**OTHERS PRESENT:** Karen Santiago (SELPA), Marjorie Paeste (SELPA)

**TIME CONVENED:** 11:03 a.m. **TIME ADJOURNED:** 11:43 a.m. **RECORDER:** Marjorie Paeste

### I. PUBLIC SESSION

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

Dr. Kenneth Geisick called the meeting to order at 11:03 a.m. Roll was taken by SELPA Executive Director 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. Mary Ann Dewan moved to approve the agenda as presented. Dr. Robert Bravo seconded and the motion carried, 8-0.

#### B. Approval of Minutes from the October 26, 2023 meeting

Dr. Mary Ann Dewan moved to approve the minutes from the October 26, 2023 meeting. Dr. Robert Bravo seconded and the motion carried, 8-0.

### III. ACTION ITEM

#### A. Approval of the updated SELPA Procedural Handbook Chapters 5-9 ~~& 11~~ (*Chapter 5: Confidentiality of Pupil Records, 6: Special Education Criteria and IEP Guidelines 7: Individualized Education Program (IEP), 8: Special Education Programs & Related Services, 9: Suspension and Expulsion/Due Process, 10: N/A, 11: Non-Public School/Agency Placement*).

The SELPA Procedural Handbook was reviewed by legal counsel to ensure consistency with language specified in Ed Code, CCR, and/or CFR. The updates have been reviewed by district special ed directors/administrators. Dr. Robert Bravo moved to approve the updated SELPA Procedural Handbook Chapters 5-9. Chapter 11: Non-Public School/Agency Placement was excluded and will be brought back for approval in May as it needs more information to clarify LEA responsibilities for students living in Licensed Children's Institutions and attending NPSs. Director Maggie Hong seconded and the motion carried, 8-0.

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### B. Approval of the updated SCCOE Housing Policy

The SCCOE Housing Policy was updated to include language regarding the inclusion of students in county-operated classrooms located on district campuses. The draft policy was presented to North West and South East SELPAs district administrators and CBOs in March 2023 and discussion was held in October 2023 by SELPA III Executive Council members. It was noted that the examples of access provided are not mandatory and serve only as a guide based on the school's capacity and IEP team decisions. It was also suggested that the policy be reviewed regularly and that a copy of SCCOE's site directory be provided to facilitate sharing of information from member districts. Dr. Robert Bravo moved to approve the updated SCCOE Housing Policy. Dr. Mary Ann Dewan seconded and the motion carried, 8-0.

### C. Approval of the Santa Clara NW SELPA Budget Allocation Plan 2024-25

Budget Allocation Plan Items	Proposed 2024-2025 Allocation	Additional Information
a) Assembly Bill (AB) 602 Base Funding Entitlement (State - 6500)  Estimated Budget: \$110M	Allocate base funds to LEAs using the greater of the LEAs' current year, prior year, or second prior year total K-12 ADA.	No change in allocation;  Base funds generated by and allocated to LEAs using the greater of the LEAs' current year, prior year, or second prior year total K-12 ADA  SELPA allocation method is the same as how the state sends funds to the SELPAs.
b) Preschool Grant (Federal – Resource Code 3315)  Estimated Budget: \$727K	Allocate funds to LEAs using Prior Year CALPADS End-of-Year (EOY) Preschool Counts.	CALPADS data is certified based on LEA and SELPA approvals.
c) Preschool Staff Development (Federal – Resource Code 3345)  Estimated Budget: \$5K	Retain funds at the SELPA AU.	Retain funds at the SELPA AU to use for SPED preschool-specific trainings or conference attendance.
d) Special Education Alternate Dispute Resolution (ADR) (Federal - Resource Code 3395)  Estimated Budget: \$14K	Retain funds at the SELPA AU.	Funds reduced from \$74K to \$14K since CDE will see 1 SELPA instead of 5.  ADR grant will be retained at the SELPA AU to offset district ADR costs for IEP facilitation and local mediation.  ADR Costs beyond the CDE ADR grant amount will be taken off the district's State AB 602 funds (Resource 6500).  Districts will complete ADR report prior to SELPA allocating funds to district.

Dr. Robert Bravo moved to approve the Santa Clara NW SELPA Budget Allocation Plan sections as outlined above. Director Maggie Hong seconded and the motion carried, 8-0.

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### IV. INFORMATION ITEMS

#### A. SELPA Executive Director's Update & SELPA Activities

- a. **2023-24 SELPA Base Grant Funding Estimates - First Principal (P-1) Apportionment** – starting 2022-23, SELPAs are required to report to their member LEAs the amount of funding that each LEA generates for the SELPA, no later than 30 days after receiving their apportionment. The SELPA base grant funding reflects the amount generated by each LEA using the SpEd base rate and the greater of the current year, prior year, or second prior year member LEA's total K-12 ADA.
- b. **CDE Monitoring Activities** – annual determination notification letters have been sent out to LEAs from CDE. 14 districts have been identified to be in SigDis.
- c. **CDE SELPA Audits**
  - **IEP Implementation** - per CDE's federal monitoring obligations, CDE will be collecting data once again from LEAs on the implementation of student IEPs. The measurement period will be from March 1<sup>st</sup> through April 29, 2024.
  - **CIM Request for Records** – this is in response to CDE's court case. CDE has requested SELPA's assistance to submit copies of correspondence sent to school districts (Cambrian SD and Union SD were randomly chosen) on CIM for CCEIS. CDE will file the documents with the Attorney General's office with a redaction of PII under seal with the court and are not available to the public. The SELPA office has submitted requested documents to CDE on February 9, 2024.
  - **Federal Fiscal Year 2023–24 Office of Management and Budget's Circular A-123, Appendix C, Improper Payments: Supporting Document Request** – the US Department of Education (USDOE) is conducting an improper payments study of the IDEA program. SELPAs I and II were randomly selected to submit payment documentation on State 2022 Mental Health Grant (SELPA I) and 2022 Local Assistance Entitlement Grant (SELPA II). The SELPA office has worked with affected LEAs and has submitted requested documents to CDE on March 4, 2024.
  - **Personnel Data Report** – CDE has analyzed the SpEd Personnel Data Report statewide totals reported in 2022-23 and have compared it to 2021-22 counts. There were four personnel categories that showed significant increased/decreases in 2022-23 for our SELPAs. CDE has requested SELPA to review the workbook of SELPA Summary and LEA data details and fill out their provided survey. SELPA sent CDE these requirements by the February 9, 2024 due date.
- d. **SELPA Consolidation Updates**
  - CAC meetings – facilitated by Dr. Anna Marie Villalobos and Lyndsy Rogers of FFF; meetings are underway. An evening session was recently added, as well two more meeting dates in April.
  - Local Plan meetings – additional meeting dates have been scheduled; focus is on finalizing Local Plan Section B: Governance and Administration.
  - Budget Allocation Plan (BAP) meetings – consensus has been reached among district fiscal representatives on the following items: Regionalized Services and Program Specialist revenue, Low Incidence revenues, invoice to Districts for SELPA Professional Staff Development, Community Advisory Committee (CAC) Budget, 901 District Extraordinary Cost Pool, IDEA Local Assistance Entitlement, Section 611 (Resource Code 3310), NW SELPA Costs Sharing: Students in Licensed Children's Institution (LCI) and Skilled Nursing Facilities (SNF), NW SELPA Costs Sharing: CCS California Children's Services (CCS)/ Medical Therapy Unit (MTU), SELPA II Districts' Regional Cost Share. These will be brought to Council for approval in May.

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- e. **Local Plan – SELPA Governance** – details are still being discussed regarding the proposed SELPA Governance structure, which would include an Executive Council, an Administrative Unit Council, a Directors’ Committee, a Finance Committee, and a Community Advisory Committee.
- f. **SELPA Activities** – updates on other fiscal, data, and professional development activities by the SELPA were reported.

#### **V. ADJOURNMENT**

Dr. Kenneth Geisick moved to adjourn the meeting at 11:43 a.m. Dr. Mary Ann Dewan seconded and the motion carried, 8-0.