

## EXECUTIVE COUNCIL MEETING MINUTES

SELPA III  
May 23, 2024

### MEMBERS PRESENT:

<u>X</u>	<u>Cambrian</u>	Kristi Schwiebert	-	<u>Luther B.</u>	Edith Mourtos
<u>X</u>	<u>Campbell Elem</u>	Shelly Viramontez	<u>X</u>	<u>Moreland</u>	Clover Codd
<u>X</u>	<u>Campbell High</u>	Robert Bravo	<u>X</u>	<u>Saratoga</u>	Kenneth Geisick
-	<u>Lakeside</u>	Sean Joyce	<u>X</u>	<u>Union</u>	Carrie Andrews
<u>X</u>	<u>Loma Prieta</u>	Kevin Grier	<u>X</u>	<u>SCCOE</u>	Mary Ann Dewan
-	<u>Los Gatos</u>	Paul Johnson	<u>X</u>	<u>SELPA AU</u>	Leo Mapagu
<u>X</u>	<u>Los Gatos-Saratoga</u>	Heath Rocha for Bill Sanderson			

**OTHERS PRESENT:** Tina Chang (CAC), Veronica Rajasekar (CAC), Heather Wellendorf (Campbell Elem), Karen Santiago (SELPA), Marjorie Paeste (SELPA)

**TIME CONVENED:** 11:03 a.m.      **TIME ADJOURNED:** 11:47 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

Ms. Tina Chang and Ms. Veronica Rajasekar addressed the Council.

### II. CONSENT ITEMS

#### A. Setting the Agenda

Dr. Shelly Viramontez moved to approve the agenda as presented. Dr. Mary Ann Dewan seconded and the motion carried, 9-0.

#### B. Approval of Minutes from the March 21, 2024 meeting

Dr. Shelly Viramontez moved to approve the minutes from the March 21, 2024 meeting. Dr. Mary Ann Dewan seconded and the motion carried, 9-0.

### III. ACTION ITEM

#### A. Approval of the updated SELPA Procedural Handbook Chapter 11 (Non-Public School/Agency Placement), and Chapter 12 (Surrogate Parent Procedures – no change).

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. Shelly Viramontez moved to approve the updated SELPA Procedural Handbook Chapter 11: Non-Public School/Agency Placement, with no change to Chapter 12: Surrogate Parent Procedures. Dr. Robert Bravo seconded and the motion carried, 9-0.

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### B. Approval of the Santa Clara NW SELPA Budget Allocation Plan Items for 2024-25

Budget Allocation Plan Items	Proposed 2024-2025 Allocation/Updates
a) Regionalized Services and Program Specialist Revenue (Resource Code 6500) Estimate Amount: \$2.8M	Retain current allocation: Funds are used to cover the cost of SELPA AU Operations budget. Any balance is distributed to member districts by Total K-12 ADA.
b) Low Incidence Revenues (Resource Code 6500, Goal 5767) Estimate Amount: \$3M	Allocate 80% to districts to spend on LI services and/or items less than \$1,000. Allocate 20% to SELPA AU for purchase of LI equipment and materials only. SELPA AU will return unspent funds to LEAs.  SELPA to purchase LI equipment more than \$1,000 (per item); Districts to purchase LI equipment and materials less than \$1,000 per item (not per order).
c) Invoice to Districts for SELPA Professional Staff Development (\$12,600)	Funds to be used for legal trainings/consultation.  Requests for additional trainings beyond the amount will be cost-shared by districts who committed to the training based on ADA.
d) Community Advisory Committee (CAC) Budget	Set-aside \$10,000 budget for CAC activities aligned with Ed Code 56194. SELPA to manage budget and approve activities. Member LEAs to offer in kind support in addition to budgeted amounts (translation, host site, in-house expert, etc.) Executive Council to approve the budget annually. Related costs to be shared by member LEAs using Total K-12 ADA, taken off State AB 602 funds (Resource 6500)
e) 901 District Extraordinary Cost Pool Estimate Amount: \$100K	To be eliminated beginning 2024-2025.
f) IDEA Local Assistance Entitlement, Section 611 (Resource Code 3310) Estimate Amount: \$30M	Keep current allocation method.  Allocate the total grant amount based on each SELPA's percentage share of grant amount received in 2023-24.
g) NW SELPA Costs Sharing: Students in Licensed Children's Institution (LCI) and Skilled Nursing Facilities (SNF) <ul style="list-style-type: none"> <li>Students Living in Licensed Children's Institution and attending Non-Public Schools with SCCOE oversight. Costs partially offset by Out-of-Home Care Revenues; Estimated Amount: \$1.3M</li> <li>Students Living in Licensed Children's Institution and attending SCCOE Block Programs/District</li> </ul>	Continue with NW SELPA Costs Sharing for students living in Licensed Children's Institution (LCI) and Skilled Nursing Facilities (SNF) + revisions mentioned below: <ul style="list-style-type: none"> <li>Spell out categories to provide clarifications. Example: From "NPS/LCI" to "Students Living in LCI and Non-Public Schools (NPS) with SCCOE oversight"</li> <li>Specify the two (2) SNF sites located within NW SELPA boundaries.</li> <li>Costs sharing does not cover all the costs of students in LCI and SNF. Credits can vary based on student's needs, placement, and services.</li> <li>Document cost sharing calculation methodology for reference.</li> </ul>

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Programs; Estimated Amount: \$4.3M	<ul style="list-style-type: none"> <li>Eliminate “in SDC programs” in LCI/SDC/MTU/Trans Cost-Sharing agreement as students in other placements can theoretically live in an LCIs.</li> <li>Include costs of SCCOE Psychologist in the costs sharing for NPS costs with SCCOE oversight.</li> </ul>
h) NW SELPA Costs Sharing: CCS California Children’s Services (CCS)/ Medical Therapy Unit (MTU)	<p>Continue current cost sharing agreement (classroom credits). If districts are not able to fulfill requirements to maintain facilities and custodial services, the SELPA will withhold equivalent classroom credits to districts.</p> <p>Eliminate “The cost of transporting OI students confined to wheelchairs from LCI to district programs” since this is covered under the LCI cost share agreement.</p> <p>Set-aside \$20,000 budget for CCS related costs taken off State AB 602 funds (Resource 6500), including equipment/supplies, for Palo Alto and Sunnyvale CCS sites as per <a href="#">State Interagency Agreement</a> (page 31 onwards).</p> <p>All CCS/MTU related costs beyond \$20,000 will be cost shared by NW SELPA by Total K-12 ADA.</p>
i) SELPA II Districts’ Regional Cost Share	<p>Fremont UHSD, Sunnyvale, and Cupertino have established a memorandum of understanding for Regional Programs/Services. The SELPA will reallocate the State AB 602 Entitlement funds and Regionalized Services/Program Specialists (RS/PS) funds among the three districts that will be outlined in an MOU.</p>
j) Charters Schools within NW SELPA	<ul style="list-style-type: none"> <li>Any return of unused SPED revenues from Charter school will be returned proportionately to the districts based on the student’s District of Geographic Residence within NW SELPA using CALPADS Fall 1 8.1 report.</li> <li>Eliminate excerpts related to Charter Schools Policy (i.e., Categories of Charter Schools) in the Budget Allocation Plan, instead, make a reference to the Charter Schools Policy from the SELPA Procedural Handbook.</li> <li>Eliminate “SCCOE Charter Schools within the SELPA will receive the same AB 602 Entitlement per ADA as the equalized districts within the SELPA” since this distribution method will be reflected in the allocation of AB 602 Entitlement (applies to all SELPA member LEAs, including the Charter Schools).</li> </ul>

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k) Funding Allocation –SPED Costs	<ul style="list-style-type: none"> <li>Change title of section from Calculation of SCCOE Funding to “SELPA Calculation and Reallocation of District Revenues for SCCOE SPED Program Costs.”</li> <li>Document SELPA calculation and reallocation of district revenues for SCCOE SPED Program Costs for reference in BAP.</li> <li>Make a reference to MOU between SCCOE and Santa Clara County School Districts regarding SPED Regional Programs and related services in BAP.</li> </ul>
l) Interdistrict Transfer Billing within NW SELPA districts	<ul style="list-style-type: none"> <li>Retain both Average Cost Program and Regional/Actual Cost Program calculation methods.</li> <li>For Regional/Actual Cost Program cost calculation, use actual student count. 5 is the minimum student count for calculation purposes. LEAs will adjust number when more students are in class.</li> <li>Update enrollment census dates using average of October to April enrollment for both Average Cost Program and Regional/Actual Cost Program calculation methods.</li> </ul>

These items have been reviewed by special education program and fiscal representatives as well. Dr. Robert Bravo moved to approve the Santa Clara NW SELPA Budget Allocation Plan sections as outlined above. Dr. Shelly Viramontez seconded and the motion carried, 9-0.

#### IV. INFORMATION ITEMS

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

###### a. SELPA Consolidation Updates

- Santa Clara NW SELPA will be the 5th largest SELPA in the state once consolidated, with more than 121,000 students/ADA.
- CAC members have provided input through a series of meetings regarding the consolidated CAC Bylaws. The final draft of the Bylaws will be presented to the SELPA Executive Councils for approval in June 2024.
- Input from special education program and fiscal administrators have been gathered during Budget Allocation Planning (BAP) meetings held throughout the year. Consensus has been met on the BAP items.
- The SELPA Procedural Handbook sections have been reviewed by SELPA legal counsel to ensure consistency with language specified in Ed Code, CCR, and/or CFR. Revisions have been shared with district special education administrators. The policy on Parentally Placed Students in Private Schools will need to be updated based on recent guideline released by CDE, which states that parentally placed preschool students in private schools can receive a Service Plan or an IEP when the private school is attached to an elementary school.

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- The NW SELPA Local Plan Section B: Governance and Administration is nearing completion. The outlined governance structure includes a Governance Council of Superintendents, an Administrative Unit Council, a Finance Committee, Coordinating Committee, and the Community Advisory Committee. A brief discussion was held regarding the option of having weighted votes for member LEAs. A final draft of Section B of the Local Plan will be sent to special education directors, district superintendents, and CACs for review/comments. All sections of the SELPA Local Plan will be submitted to Executive Council for approval in June 2024.
- b. **CDE Compliance and Improvement Monitoring Activities** – annual determination notification letters have been sent out to LEAs from CDE.
- c. **NW SELPA Governance Council 2024-25 meeting dates** – due to the consolidation of SELPAs I, II, III, IV, & VII into one SELPA (NW SELPA), the individual Executive Councils will be replaced by the Governance Council of Superintendents. A draft meeting schedule for the 2024-25 school year was presented to the council members for review and will be submitted for approval at the June 2024 meeting.
- d. **SCCOE Annual Administrative Unit Fee** – the SCCOE is proposing a minimal fee to charge (per ADA) as the SELPAs' Administrative Unit (AU). It would cover basic operational expenses to function as the SELPAs' AU. Dr. Mary Ann Dewan shared that all other costs for the support of the new countywide AU would be provided by the SCCOE in kind. The fee will increase annually by 1% and will be charged based on P1 ADA, to be taken off the top. This proposed fee structure will be in place for the first 5 years, unless amended by the countywide AU Council.
- e. **Other updates**  
No other updates provided.

### V. ADJOURNMENT

Dr. Kenneth Geisick moved to adjourn the meeting at 11:47 a.m. Dr. Robert Bravo seconded and the motion carried, 9-0.