

**SELPA EXECUTIVE COMMITTEE  
REGULAR MEETING**

Tehama County Department of Education, Board Room  
1135 Lincoln Street, Red Bluff, CA 96080

**Tuesday, April 16, 2019  
9:00 AM TO 10:30 AM**

**APPROVED MEETING MINUTES**

**PRESENT:** Richard DuVarney, Jim Weber, Brad Mendenhall, Rick Fitzpatrick, Todd Brose, Lane Bates, Jenny Montoya, Jerry Walker, Cindy Haase, Jeff Scheele, Jared Caylor, Clifford Curry, Veronica Coates

**ABSENT:** Marla Katzler, Joey Adame, Dane Hansen

**GUESTS:** Karin Matray, Wes Grossman, James Southwick, Jackie Roach, Loreina Santana, Michelle Kinner, Suzanne Adkins, Vici Miranda, Melanie Combs, Kosue Yang, Heather Sandy, Diana Davisson, Renee Kennedy

**1. Call to Order**

SELPA Co-Chair Todd Brose called the meeting to order at 9:12 a.m.

**2. Consent Agenda**

- 2.1. Adoption of Agenda
- 2.2. Approval of March 12, 2019 Meeting Minutes

Rick Fitzpatrick motioned to adopt the agenda and approve the March 12, 2019 meeting minutes. Todd Brose seconded the motion. Motion carried.

Vote in Favor: Richard DuVarney, Jim Weber, Brad Mendenhall, Rick Fitzpatrick, Todd Brose, Lane Bates, Jenny Montoya, Jerry Walker, Cindy Haase, Jeff Scheele, Jared Caylor, Clifford Curry  
0 opposed; 0 abstained

**3. Public Input**

Presenters were introduced to the Committee.

Vici Miranda from the Soroptimist chapter in Red Bluff is present to discuss their organization's goal to bring an inclusive splash park to our community.

Los Molinos Unified School District Social Education/Behavioral staff, Melanie Combs, Kosue Yang and Heather Sandy, will present on an evidence based

strategy, Skillstreaming, as they have implemented within their district and have seen some successes.

#### **4. Program Highlight**

Los Molinos Union School District's social education/behavioral staff presented on Skillstreaming, an evidence based prosocial skills training program. An overview of the program development and implementation was provided. The Committee thanked the presenters for sharing information on the program.

#### **5. Community Highlight - Red Bluff Soroptimist**

Vici Miranda from the Soroptimist Chapter in Red Bluff presented on the project to bring an inclusive splash park for children with disabilities to the community. The Soroptimist group has been actively fundraising and advocating to local organizations and policy makers. A handout was provided to Committee members with detailed information regarding the Splash Park project. There is currently a coin drive at various schools throughout the county which will end on April 29, 2019. Red Bluff Joint Union High School District and Tehama County Department of Education expressed interest in obtaining a collection jar to participate in the coin drive. The Committee expressed their interest in this work, had some questions, and thanked Vici for her presentation.

#### **6. Priorities Requests**

Lassen View Union Elementary School District submitted a request for a one-on-one aide to assist with a fully included student.

Flournoy Elementary School District submitted a request for a one-on-one instructional aide to assist with a fully included student previously and also submitted a request for the same student for the 2019-20 year.

The Committee will take final action at the May 30, 2019, SELPA Governance Council meeting on all submissions received.

#### **7. LCI Requests**

There were no LCI requests.

#### **8. SELPA Goals: Executive Committee engaged in goal setting. Recommended 2019-2020 Tehama County SELPA Goals**

Veronica provided the top three goals for the SELPA for 2019-20.

The SELPA will prioritize mental health needs of our students and explore ways to expand the ERMHS continuum. Veronica requested a small group be formed to

provide recommendations on expansion. Recommendations to be provided to Committee by May 2020.

The SELPA will create a robust and meaningful professional development program for the 2019-20 school year. The SELPA will provide practical training in the area of Pattern of Strengths and Weaknesses by May 2020. The SELPA will provide recommendations to the Committee on whether the SELPA as a whole should adopt Patterns of Strengths and Weaknesses as the primary assessment model for special education identification for specific learning disability.

The SELPA will engage in an improvement science project looking at the root causes of increased needs of preschool students with disabilities. Results will be presented back to the SELPA Executive Committee by May 2020. Statewide trends for preschool increases were provided and reviewed. Veronica will enlist the assistance of Jackie Roach and Jim Southwick from the Tehama County Department of Education to engage in an improvement science project, to include stakeholders from State Preschools, School Readiness, First Five, district psychologists and speech therapists. The project could also be beneficial in showing the root cause of districts' special education issues and in assisting districts with their own performance improvement plan efforts, especially in the area of LRE and achievement.

Brad Mendenhall motioned to approve the top three SELPA goals for 2019-20. Clifford Curry seconded the motion. Motion carried.

Vote in Favor: Richard DuVarney, Jim Weber, Brad Mendenhall, Rick Fitzpatrick, Todd Brose, Lane Bates, Jenny Montoya, Jerry Walker, Cindy Haase, Jeff Scheele, Jared Caylor, Clifford Curry  
0 opposed; 0 abstained

## **9. School Nursing Contracts for LEAs and Other Agencies**

Recommendations were provided to the Committee regarding school nursing contracts. Separating financial reporting for regional funded special education nursing services (1.30 FTE) and nursing requested by LEAs/Districts/TCDE for general education is needed. The SELPA financial reports will only reflect nursing for regional special education nursing services. A separate financial report for other nursing services will be created and provided during the SELPA regularly scheduled financial reports (First and Second Interim, Estimated Actuals, Closing).

The proposed model would assign a minimum FTE for district nursing requests for 2019-20. The remaining FTE and excess costs (approximately .32 FTE) will be based on a usage model. The nurses will track their time each day by the hour, and this fee for service model will generate a percentage of use which will then be applied to the excess costs for each user. This billing mechanism would be a moving target through the year, based on individual usage, compared to overall usage. It will completely separate out general education nurse funding from

regional special education nurse service billing. A recommendation was also made to reinstate a school nursing supervisor.

Veronica relayed that she brought this topic up with the district CBOs at their recent meeting. The district CBOs agreed during a recent meeting that nurses should track their time and bill for usage. There was discussion regarding nursing mileage costs for traveling to different sites also being tracked to ensure proper billing for general education. Additional costs for general education nursing include trainings provided, supplies, and administration costs. Veronica will be meeting with the nurses to provide directions, expectations and will implement consistent tracking practices. There was a discussion regarding analyzing this new model at the end of the next fiscal year to determine if it worked and/or if this should be moved to another department within TCDE, rather than the SELPA.

Veronica shared an article outlining school nursing shortages nationwide and particularly in California. The pupil to school nurse ratio was provided for California and Tehama County.

Brad Mendenhall motioned to approve the new school nursing contract structure for LEAS and other agencies to take effect in 2019-20. Cindy Haase seconded the motion. Motion carried.

Vote in Favor: Richard DuVarney, Jim Weber, Brad Mendenhall, Rick Fitzpatrick, Todd Brose, Lane Bates, Jenny Montoya, Jerry Walker, Cindy Haase, Jeff Scheele, Jared Caylor, Clifford Curry  
0 opposed; 0 abstained

## **10. SELPA Finance Report**

Veronica shared that the 3320 Federal Preschool Grant was rolled into our overall 3310 Federal Local Assistance Grant. The prior formula is based on December 1999 (CASEMIS) pupil count, ages 3 through 21 and identified on an IEP; 2015 K-12 enrollment (public and private school); and 2015 K-12 poverty (free and reduced meal counts).

There are two options to consider how to handle this:

1. Calculate a per pupil rate and apply COLA every year.
2. Calculate the percentage increase from the last year of the 3310 federal grant, pull out the last 3320 amount from the 3310 grant, and apply that percentage increase.

There was discussion regarding the growing needs of preschool, incentivizing qualifying students, and concerns regarding federal grants being inconsistent and possibly impacting K-8 if grant decreases.

Rick Fitzpatrick motioned to approve matching percentage increases of the federal grant and to revisit annually. Clifford Curry seconded the motion. Motion carried.

Vote in Favor: Richard DuVarney, Jim Weber, Brad Mendenhall, Rick Fitzpatrick, Todd Brose, Lane Bates, Jenny Montoya, Jerry Walker, Cindy Haase, Jeff Scheele, Jared Caylor, Clifford Curry  
0 opposed; 0 abstained

Veronica provided options for the additional revenue of \$66,000 which is a combination of increased federal revenue and some pro-ration factor adjustments. Options are to leave as is and apply to revenue, or apply to the Tehama County Department of Education programs, lowering the billback with all LEAs benefiting. There was discussion regarding possibility of negatively impacting the MOE of program operators.

Jared Caylor motioned to approve applying the excess federal revenue of \$66,000 to Tehama County Department of Education programs and lowering the LEA billback. Brad Mendenhall seconded the motion. Motion approved.

Vote in Favor: Richard DuVarney, Jim Weber, Brad Mendenhall, Rick Fitzpatrick, Todd Brose, Lane Bates, Jenny Montoya, Jerry Walker, Cindy Haase, Jeff Scheele, Jared Caylor, Clifford Curry  
0 opposed; 0 abstained

Other SELPA finance issues were also discussed:

Veronica advised that she will be drafting a Low Incidence (LI) fund policy as there is a need for parameters in considering purchases. There is a rise in LI fund use due to purchases of expensive equipment including orthopedic equipment, D/HH technology, assistive technology requests and VI equipment. Currently we receive \$35,823.46 annually and have spent \$66,574 as of April 10, 2019. The funds are driven by the IEP and we are overspending as needs are increasing as well as equipment costs. Veronica shared that the new Assistive Technology staff member will provide recommendations on AT purchases. In previous years there has been a reserve from underusing the fund so there will not be a billback this year, but there is a need to consider this trend and how to proceed moving forward. There was a suggestion of the possibility of utilizing priorities funding for some of these costs in the future. Veronica will draft a policy on spending priorities and potential billback formulas to bring back to the Committee.

State and federal special education funding trends were discussed. The local contribution in the State of California is currently 66 percent and growing, meaning the general funds of LEAs are funding 66% of the special education costs statewide. The cost per pupil is rising and the federal government percentage continues to decline.

A question was raised if there are discussions at the state level regarding the inability to build on programs due to utilizing an inordinate amount of time and resources for compliance by all the districts. Veronica stated the State SELPA Association continues to share these concerns and advocate at the state level with legislators. Veronica discussed that Humboldt Del Norte SELPA has an advocacy day each year where district superintendents meet with legislators to advocate for special education funding, programs, and other concerns related to compliance. Veronica suggested that Assembly Member James Gallagher and Senator Jim Nielsen be invited to visit our area to understand the funding issue and/or Veronica will work with Superintendent DuVarney to plan a visit with legislators in Sacramento with Capitol Advisors. The overall consensus is that compliance is too strict, districts feel like they are compliance officers and IDEA needs to be fully funded. The State SELPA Administrators meet with CDE monthly and Veronica will provide the feedback from this meeting. Veronica indicated she could also draft a letter regarding compliance concerns and copy the Special Education Division and California State Superintendent Tony Thurmond.

A Transportation Committee update was provided. There will be two busses purchased in 2019-20, with one bus being purchased through the bus grant and another bus through the bus saving account funds. Discussion regarding rising costs of itinerant staff mileage and the possibility of creating a cycle of leasing new vehicles in place of purchasing vehicles and also creating a cycle for bus purchases in the future.

## **11. NPS Master Contract:**

The State SELPA Master Contract was approved. The Master Contract policy revisions and additions were discussed, including school closure language.

Proposed revisions to the IEP School contract language were discussed. The biggest change would be that the NPS is funded during days the student is absent. The council questioned whether or not truancy language be added to the Master Contract. The SELPA Director recommends drafting a policy for truancy instead of adding to the Master Contract as LEAs are already accountable for truancy. The proposed truancy/attendance, truancy/transportation and class size for NPS language is legal versus procedure based.

There are concerns regarding a lack of communication from IEP School when a student is absent which could affect the LEA carrying out the SARB process. Currently the IEP School reports attendance to the SELPA but the LEA remains responsible for compliance. A suggestion was made that language be included stating that the IEP School will report to the District of Accountability if a student has three absences for referred to SARB. There was a request from the Committee to receive unexcused absences weekly from the IEP School, especially due to the three absence clause.

IEP School costs have increased. IEP School is proposing to increase their student to teacher ratio/classroom size. The proposal is to increase ratio of one teacher per 12 students in the Master Contract to ratio of one teacher per 14 students and up to one teacher per 16 students in order to serve students if approved by LEA. Veronica shared that the IEP School will be offering additional services and traditionally the rates were all inclusive. Individual counseling was mentioned and Veronica advised that we have our ERMHS model and during an IEP, counseling services should not necessarily be added as the NPA/NPS as the provider, as our SELPA already provides that service. This would be a duplicative cost. Veronica shared she will be meeting with the IEP School administrator next week and requested any feedback from the Committee to bring up at that meeting. The Committee would like to negotiate proposed language to include attendance in TCDE database and to offer support during excessive absences. Veronica indicated she will be working with Jim Southwick regarding the SARB process and how we could incorporate our already standing process within IEP school.

## **12. State Compliance Updates**

Veronica advised there are currently 10 LEAs in performance indicator review (PIR) and the deadline is July 31, 2019. DINC Prong II are the DINC's not corrected from October/November 2018 and DINC's can become PIRs. There is a new process and Veronica is providing training following this meeting.

## **13. Director's Report**

Veronica provided a legislative update on AB 428, SB 217, AB 605, AB 102, AB 1172, SB 216, AB 947, AB 1546, AB 1322, AB 751 and AB 328.

Veronica thanked the Committee members that sent letters to legislators in support of AB 428. This bill is a special education finance bill that would provide equalization of SELPA rates to the 95<sup>th</sup> percentile, dedicate preschool funding, and a low incidence funding pool. This bill is currently in suspense file.

SB 217 is the senate's version of a special education finance bill and would provide a dedicated funding stream for preschool and flow directly to LEAs.

AB 605 is an assistive technology bill. The bill was born out of the San Diego area and relates to military families frequently moving and students inability to take devices with them. The bill states the student will be able to take the assigned device with him/her to the next LEA for up to 6 months after leaving the LEA. There was discussion regarding costs and implications if bill passed.

AB 1021 states that students with exceptional needs will be provided summer school from the first day of the summer to the last day of the summer. It goes above and beyond an IEP.

AB 1172 dictates that every NPS must maintain certain qualifications such as being required to have an administrator with a California credential and a behaviorist.

SB 216 outlines certain restrictions for restraints and additional requirements for LEAs regarding the use of restraints / seclusion.

AB 947 expands curriculum for visually impaired (VI) students.

AB 1546 would expand access to mental health funding to LEAs and draw down EPSDT funding. It would allow for utilization of funds if county mental health is not using the funds and we could partner with them to use funds towards education.

AB 1322 offers relief from LEA Medi-Cal and MAA audits and create a more streamlined connection between the Department of Human and Health Services and the Department of Education.

AB 751 seeks to allow LEAs local control to have the SAT or ACT serve as statewide testing.

AB 328 seeks to change school start time for middle school and high school to later than it is currently. Rural schools have exception. This would cause financial burden on working parents and may increase truancy rates.

The State SELPA Finance Report was reviewed with the Committee.

#### **14. District Reports**

Red Bluff Union High School District shared that some districts are looking to see if there is an IEP for inter district transfers and are basing their decision to approve or deny on that information. There was a discussion to eliminate the box showing if student has IEP on the inter district form as it does not appear to be a mandate. There is indication that some parents are being encouraged to drop special education in order to be accepted. The Superintendents' Council will seek a legal opinion on this issue.

#### **15. Adjournment**

Brad Mendenhall adjourned the meeting at 11:45 a.m.