

**SELPA PROGRAM ADVISORY COUNCIL
Standing Committee of the Consortium**

December 12, 2023

**8:00 am – 10:00 am
SELPA Conference Room
3570 Rancho Road, Ste. 9; Redding, CA 96002**

MINUTES

1. Call to Order at 8:01 am

Christian Patz, SELPA Executive Director, called the meeting to order at 8:01 am.
SELPA Program Advisory Council members roll call:

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| ● REGION 1 – Cecile LaMar, SUHSD | Present |
| ● REGION 2 – Brandt Shriner, Anderson UHSD | Present |
| ● REGION 3 – Rick Jordan, Redding ESD | Present |
| ● REGION 4 – Annie Payne, Enterprise ESD | ABSENT |
| ● REGION 5 – Ray Witte, Mtn. Valley JPA | Present |
| ● REGION 6 – Nate Solus, Gateway USD | ABSENT (present at 8:08 am) |
| ● REGION 7 – Brent Beyer, Fall River JUSD | Present |

Others present were:

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| ● Christian Patz, SELPA Executive Director | ● Autumn Ervin, SELPA Admin Asst. / Data |
| ● Nick Syrrist, SELPA, Dir. Dist. & Schl. Sppt. | ● Melissa O’Dell, Pacheco ESD |
| ● James Glover, SELPA Sppt. Svcs. Coord. | |

Discussion: None.

(Rick Jordan present at 8:02 am)

2. Approval of the Agenda

Discussion: None.

ACTION: Brent Beyer motioned to approve the Agenda as presented. Cecile LaMar seconded the motion. The motion passed by majority vote 5-0-2, no opposition, no abstentions, Annie Payne and Nate Solus were absent.

3. Public Forum / Hearing of Persons Wishing to Address the Program Advisory Council

None.

4. Spotlight on Success

4a. Brandt Shriner, Anderson UHSD

Discussion: Mr. Shriner was pleased to report Anderson UHSD only has 1 staffing position yet to fill for a para then will be fully staffed. They now have their second CCEIS (Comprehensive Coordinated Early Intervening Services Funds), plan completed with the third pending then will be done. Lastly, Mr. Shriner shared that they have been without an ERICS classroom teacher since October 24, but have had NO incidents reported during that time. He is very happy to report Anderson UHSD has great staff and substitutes and are very pleased to share these three district successes.

5. SELPA Director's Report

5a. SELPA Standing Items:

- Monthly training – SELPA Professional Development Calendar ([link](#))
- Itinerant Updates

Discussion: Dr. Patz stated the new SpEd Director for the CDE, Rachel Henney, released a draft memo for the alternate pathway to diploma at the state SELPA Director's meeting. There is movement forward, but the CDE is still pending a formal release. The Larry P case was also discussed at the SELPA Directors meeting with the majority agreeing to continue not doing IQ testing for African Americans concerning special education needs. Butte County SELPA elected to proceed with testing per parent requests. Dr. Patz argues it is not useful for any students to IQ test for special education needs.

SELPA Directors also discussed the state budget and the possibility of revising down what COLA will be for schools. All gave big raises over last few years, and now are concerned about state reducing in future. Fiscal department are likely talking, as PERS contributions will likely also increase. Staffing and finance may become a larger concern. F3 Law presented at SELPA Directors on the process of due process and encouraged all members to involve the SELPA in disputes early to help find resolutions prior to hearing.

(Nate Solus present at 8:08)

Dr. Patz continued, stating the SELPA now Contracts with non-member charters for low incidence services. Services are billed hourly, although no training is provided as contracted charters are not members of Shasta SELPA. Dr. Patz requested feedback for performance information with no responses. Dr. Patz suggested moving good DHH or VI teachers into itinerant or specialized roles.

- SEIS and Data

Autumn Ervin, SELPA Administrative Program Assistant specializing in data, stated she has been spending ALOT of time with data staff at several districts and expects all to certify by this Friday, as there are only very minimal issues remaining. Ms. Ervin will review DNRs and meetings to ensure proper reporting. Any corrections will be made during the amendment window December 16-26, 2023. DRDPs are due by January 12, 2024, with certifications by February 1, 2024. All information has been distributed to data personnel. Dr. Patz praised Ms. Ervin for her hard work in working with districts to identify and correct errors for successful reporting, and will share out the data pull on Friday from the CalPads Report 16.1, based on ADA, not enrollment. Preschool and transition age kids will be included.

- Director Notes from State

Dr. Patz stated that F3 Legal presented about the process of due process and encouraged members to involve the SELPA early in any dispute matter to assist in resolution prior to any court proceeding.

Dr. Patz promoted the ACSA Early Childhood Symposium and encouraged attendees to share a shuttle. The CalESCE conference is in March, followed by the ADR Conference in Riverside, then Legislative Information Sharing Day May 1, 2024 in Sacramento.

- 6. Consent Items** – *(These action items are of a routine nature or items for which no discussion is anticipated, and are acted upon by a single vote. Members may request that any item be removed and given individual consideration.)*
- 6a. Approval of Minutes for October 10, 2023
 - 6b. Student GPS Device Policy
 - 6c. IEE Policy Update
 - 6d. Restraint and Seclusion Transparency Policy (AB 1446 Weber)

Discussion: None.

ACTION: Ray Witte motioned to approve the Consent items as presented. Cecile LaMar seconded the motion. The motion passed by majority vote 6-0-1, no opposition, no abstentions, Annie Payne was absent.

7. Spectrum Center – Update / Discussion

Discussion: Dr. Patz stated Spectrum maintaining and still needs an “anchor” teacher. There are 27 students currently enrolled. We are paying too much to have this program, but there is no other place for these students. Mr. Solus sends a provider but there is no place for her to serve. Spectrum is putting paper on walls, but there are no blinds, and no privacy for students receiving services. Mr. Glover to address with Spectrum immediately as a crucial component needed. Members voiced concern if the program is closed, districts have no staffing for the increased time and attention necessary for those students. Members agreed it is currently worth the risk to keep the program open for a place to serve high need students. Dr. Patz encouraged support and communication NOW if all agree SELPA should a similar program.

8. Ad Hoc Committee Meeting 11-7-23 - Update / Discussion

- 8a. Extraordinary & Legal Cost Pools
- 8b. Preschool Responsibility Policy

Discussion: Dr. Patz stated the Extraordinary cost pool will absorb the legal subsidy, as the separate pool had not been accessed for several years due to strict requirements. Members agreed with the committee’s decision.

PreK is the biggest challenge concerning children attending preschools outside their district of residence, outside costs and boundary issues. Dr. Patz met with Renee Meniffee, Director of SCOE ECS, and both agreed a single entity running all preschool program makes sense. The County has large reserves and suggested spending seed money to start. Dr. Patz speak with SCOE’s Business Director to suggest SCOE build, as there is no support for SELPA to build.

9. Local Plan – Governance and Administration

Discussion: Dr. Patz provided members an updated redline ledger of the Local Plan Governance section redlined with current versus proposed verbiage, including Mr. Witte’s previous suggestions, and emphasized his goal for the SELPA is to get as much money passed through to districts as possible while still being able to support students equally. No additional member input.

10. Subsidies - Discussion / ACTION

10a. Regional Resource (NPS, Countywide)

Discussion: Dr. Patz stated the subsidy percent recommendations are pending PAC and FAC (Finance Advisory Council) recommendations for Board final decision. Members discussed counseling services, EXCEL rolling into one daily rate, and bundling of costs.

Dr. Patz informed members the Bay Area Collaborative locks in every provider at a set rate on a ledger and vendors must go to Collaborative to increase their rate. None of them bundle, unless it is an autism specific bundle. Mr. Witte stated the JPA is hiring as many speech therapists as possible due to continual and potential need. Dr. Patz confirmed he will question placements IF the SELPA feels it is egregious.

Dr. Patz reminded members the current policy provides a flat 25% subsidy in perpetuity with annual renewal requests. The FAC suggested 25% for 2 years. Mr. Solus recommended keeping the policy as is due to difficult student tracking. Ms. LaMar stated the district still pays the remaining 75% of the cost which incentivizes the district to keep the student on site if possible.

ACTION: Nate Solus motioned to keep the Regional Resource subsidy at the current 25% in perpetuity with annual renewal requests. Ray Witte seconded the motion. The motion passed by majority vote 6-0-1, no opposition, no abstentions, Annie Payne was absent.

Dr. Patz continued discussion regarding OOH (Out of Home) students. He proposes the same policy as RRC, but keep the subsidy at 75% in perpetuity after LCFF for students in foster care. Although the SELPA only received \$1.2m this year versus \$2m previously, SELPA funding should be fine unless RTC (Residential Treatment Facility) placements increase. OOH will have the same process as RRC, but 75% in perpetuity. Dr. Patz emphasized the importance of early notice of OOH subsidy requests, and confirmed these are separate funds for OOH and residential placements.

ACTION: Ray Witte motioned to keep the Out of Home subsidy at the current 75% in perpetuity annual renewal requests with no LCFF consideration. Nate Solus seconded the motion. The motion passed by majority vote 6-0-1, no opposition, no abstentions, Annie Payne was absent.

10b. Extraordinary Cost Pool

Discussion: Dr. Patz stated the separate legal fee subsidy has now been absorbed into the extraordinary pool. Submissions can now include legal expenses incurred that don't have SELPA wide implications, or the district didn't prevail in a case but showed good faith and due diligence. Such costs are unforeseeable. Exclusions include IEEs, county placements, speech services, some transportation, or compensatory education. Extraordinary costs could include interpreter costs as straight ADA, related services, equipment, legal, equine therapy, etc. Dr. Patz intends the pool to be more gatekeeping than exclusionary, as it depends on the district and expense as to what is considered extraordinary.

Dr. Patz indicated that FAC would determine the distributed amount depending on the impact to a district's budget. The \$250k pool is replenished annually up to \$250k and covers costs for the whole school year.

ACTION: Ray Witte motioned to approve the Extraordinary Cost Pool as presented. Brent Beyer seconded the motion. The motion passed by majority vote 5-1-1, Nate Solus opposed requesting more clarity as to what extraordinary costs include, no abstentions, Annie Payne was absent.

10c. Low Incidence

Discussion: Dr. Patz informed members the 2022-23 allocation is approximately \$600k. A slide presentation reflects the total costs include \$1.2m for itinerants and \$50k set-aside for equipment, leaving approximately \$450k to be funded off the top to offset itinerant costs. New revisions change from application procedures to a policy providing low incidence funds to districts for direct equipment purchases under \$1k. The proposed policy would provide much more efficient delivery time and the district would own the equipment. Purchases over \$1k would be processed through the SELPA office. Dr. Patz informed members of FAC's approval of the \$1k threshold and agreed to simplify the purchase process for low incidence equipment. Mr. Solus requested additional clarification within bullet #1 of the Request Criteria.

ACTION: Nate Solus motioned to approve the Low Incidence Policy with additional clarification added to bullet #1 of the Request Criteria. Rick Jordan seconded the motion. The motion passed by majority vote 6-0-1, no opposition, no abstentions, Annie Payne was absent.

10d. Remote District

Discussion: Dr. Patz continued his slide presentation and confirmed the remote district subsidy for 23-24 is approximately \$83k. Remote is determined as 50 miles or more from the main SCOE offices located on Magnolia Avenue in Redding. The SELPA Governing Board sets the allocation amounts. Currently Fall River JUSD is the only district receiving the remote subsidy.

ACTION: Nate Solus motioned to approve the Remote District subsidy as presented. Brandt Shriener seconded the motion. The motion passed by majority vote 6-0-1, no opposition, no abstentions, Annie Payne was absent.

11. ESY Waiver Process - Discussion

Discussion: Dr. Patz urged members to complete 20 days of ESY, not 14, to promote continuity for students, to be thoughtful of evaluations, and look at 4 weeks, including two holidays (July 4 and July 19th). There is an ESY determination worksheet in SEIS. Dr. Patz agreed to discuss member concerns with the Finance Advisory Council over fiscal pushback to close the books.

Dr. Patz reviewed the ESY waiver process provided in the slide presentation, and suggested districts consider joint ESY as Redding ESD and Enterprise ESD have had success in collaborating. Mr. Witte stated that if a family declines ESY since traveling, he recommends it be kept in the student's IEP as an offer, even if the family declines it at the moment.

12. ERICS Program – Discussion

Discussion: Dr. Patz agreed that \$35k is not enough funds for an ERICS Classroom. The SELPA currently has 9 of the 11 slots available for ERICS funding. He is encouraging Fall River JUSD. Members agreed that \$35k is not enough money. Dr. Patz suggested funding up to \$50k, but it still wouldn't cover the cost of a para. Mr. Witte stated flexibility would be good, but the problems exist more with the passing and down times, not necessarily the structured times. Mr. Solus added that transitions out work well because the ERICS and the transition out are on the same site. Ms. LaMar has received student support for that and other members agreed. Mr. Jordan is

intrigued with a new model for younger kids, but not interested in hosting another ERICS classroom, confirming their middle school class working. Dr. Patz will map out some alternatives, as all agree having a push in the ERICS program would be valuable.

13. SELPA Services

Discussion: Dr. Patz continued his slide presentation and informed members the Ad Hoc committee met and discussed “satellite” students who attend preschool outside their district of residence. SELPA can create a program but at a very high cost estimated at \$200 per hour for speech services with caseloads of 40 kids. Total is approximately \$9k per year per student. The SELPA would need 30 students guaranteed before proceeding and would need to know by April 8, 2024. The program could be used by Fall River and the high schools, but agrees it is neither cheap nor cost effective, although an option. Dr. Patz requested guidance from members.

The Ad Hoc committee also discussed the option of having SELPA provide in-house data services for districts. This would help the district data person to focus on other necessary tasks, while the SELPA would provide services to avoid last minute and timely error fixes. The current SCOE program is expensive. Discussion included the cost of an employee versus the ADA costs per student needed to make a SELPA data program cost effective. The goal is to allow district staff perform other tasks, while the SELPA inputs and monitors data over the year. The ceiling cost is \$28 per ADA, but would reduce as more districts participate. Services would be provided on a one-year contract, due by February for March 15th notice.

14. Future Agenda Items

- Subsidies
- Low Incidence Funds

Discussion: Mr. Beyer suggested the ESY Waiver process.

15. Next meeting: Tuesday, February 13, 2024, 8:00 am – 10:00 am, SELPA Conference Room

Adjourned at 10:04 a.m.