SAN MATEO COUNTY SELPA GOVERNING BOARD
Tuesday, October 30, 2018
9:00 a.m. – 10:30 a.m.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PERSONS WISHING TO ADDRESS THE BOARD
4. CONSENT AGENDA

   Information concerning the consent items listed below was sent to each Board Member prior to the meeting, for their review. The items are approved as one action item. If there is a question or concern regarding a particular item from a Board member, or a member of the audience, that item may be withdrawn from the Consent Agenda.

   4.1 Approval of Agenda for October 30, 2018
   4.2 Approval of Minutes for June 18, 2018
   4.3 Acceptance of Meeting Schedule for SELPA Governing Board Meetings
   4.4 Approval of Interagency Agreement with Golden Gate Regional Center

5. 5.1 Thank you and Welcome Reception for SELPA Governing Board Representatives – Anne Campbell and Nancy Magee

6. ACTION ITEMS

   6.1 Receive update on Mental Health Allocations and Programs
   6.2 Receive update to the Budget Allocation Plan for 2018-2019
   6.3 Receive report on Compliance Monitoring in San Mateo County SELPA
   6.4 Receive updated Housing Plan Policy related to programs operated by SMCOE K-12 services

7. UPDATES

   7.1 Senior SELPA Administrator’s Update - Legislative Outcomes
   7.2 Board Member Comments
   7.3 County Superintendent’s Report

8. SPOTLIGHT PRESENTATION

   8.1 SELPA Application for Systemic Improvement Lead Partnership

10. ADJOURNMENT

Next SELPA Governing Board Meeting – December 18, 2018
San Mateo County SELPA Governing Board

Board Agenda Item

Meeting Date: October 30, 2018

Subject: Agenda for October 30, 2018

Agenda Item #: 4.1

Action Requested:
Approval of Agenda for October 30, 2018

Discussion:
The Agenda for October 30, 2018 is submitted for approval.

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
Board Agenda Item

Meeting Date: October 30, 2018

Subject: Minutes from June 19, 2018

Action Requested: Approval

Discussion:
The Minutes of the regular SELPA Governing Board Meeting held June 19, 2018 are submitted for approval.

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
SAN MATEO COUNTY SELPA GOVERNING BOARD

SELPA Governing Board
Tuesday, June 19, 2018
9:00 a.m. – 11:00 a.m.

MINUTES

1. CALL TO ORDER
   Board Member Polito, Chair of the Board, called the meeting to order at 9:02 a.m.

2. ROLL CALL
   Board Members Beth Polito, Anne Campbell, John Baker, Joan Rosas, Kevin Skelly and Audra Pittman were present. Board Members Amy Wooliever and Maggie Maclsaac arrived at 9:09 a.m.

3. PERSONS WISHING TO ADDRESS THE BOARD
   There were no comments from the audience.

4. CONSENT AGENDA
   Information concerning the consent items listed below was sent to each Board Member prior to the meeting for their review. The items are approved as one action item. If there is a question or concern regarding a particular item from a Board Member or a member of the audience, that item may be withdrawn from the Consent Agenda.
   4.1 Approval of Agenda for June 19, 2018
   4.2 Approval of Minutes for May 22, 2018
   4.3 Approval of Interagency Agreement with IHSD, SMCOE and SELPA
   4.4 Small LEA Impaction Fund Recommendations for 2018-2019
   4.5 Approval of MOU with Belmont-Redwood Shores, Charles Armstrong School and San Mateo County SELPA

Board Member Polito called for a motion to approve the consent agenda as presented. Board Member Skelly made a motion to approve the agenda as presented; Board Member Baker seconded. Board Members Polito, Campbell, Baker, Rosas, Skelly and Pittman voted in favor; none opposed. Board Members Wooliever and Maclsaac were not present at the time of the voting.

5. Welcome Receptions
   5.1 Thank you and Welcome Reception for SELPA Governing Board Representatives
   The Senior SELPA Administrator started by introducing two members from the audience; Ms. Ilja Van Laar, the new Special Education Services Executive Director, and Ms. Clare Chandler, who moved from the Program Specialist position to Special Education Coordinator, both from the Sequoia Union High School District.

   The Senior SELPA Administrator thanked departing Board Members Dr. Maggie Maclsaac, from the Burlingame School District, and Dr. Beth Polito, from the Woodside School District, for their service in the SELPA Governing Board and presented them with an award for their valuable
6. ACTION ITEMS

6.1 Accept the Budget Allocation Plan for 2018-19

The Senior SELPA Administrator provided an in-depth presentation of the budget at the last Board meeting including some graphics that gave an idea of what the numbers will look like for next school year; she stated that the document presented today has been updated because it includes a slight adjustment to the AB602 allocations due to the change in COLA and because updated information was added to the instruction pages in the appendices regarding interagency agreements and the list of LEA participants in our SELPA. This is an updated draft and it is anticipated that we’ll make more changes before we meet in October because not all grant notices from the CDE have been received yet.

Board Member Polito called for a motion to approve the SELPA Annual Budget Allocation Plan as presented. Board Member Skelly made a motion to approve the annual budget plan as presented; Board Member Maclsaac seconded. Board Members Polito, Campbell, Baker, Rosas, Wooliever, Skelly, Pittman and Maclsaac voted in favor; none opposed.

6.2 Accept Updated Policy Regarding Students in Licensed Children’s Institutions and Foster Placements

The Senior SELPA Administrator submitted the updated version of the Licensed Children’s Institutions and Foster Placement policy, which had revisions made to sections of the education code that have been updated by the California Department of Social Services regarding the type and name of LCI placements. These revisions were made to clarify placements types and LEAs responsibilities. The policy language was reviewed by the Administrators Council in May 2018.

Board Member Polito called for a motion to approve the updated Policy for Students in LCI and Foster Placements. Board Member Skelly made a motion to approve the policy as presented; Board Member Pittman seconded. Board Members Maclsaac seconded. Board Members Polito, Campbell, Baker, Rosas, Wooliever, Skelly, Pittman and Maclsaac voted in favor; none opposed.


The Senior SELPA Administrator provided an update prepared by Karen Breslow, SELPA Program Coordinator, who had a very busy year working on CAC. She was able to increase the active membership representation to a total of 14 LEAs and her recruitment has been focused on unrepresented districts. Ms. Breslow has been very active in the community participating and hosting several activities/meetings and providing trainings to parents on the IEP Process; she’s currently working on a webcast (that will be offered next year and will be posted on the SELPA website) on Dyslexia. Her plans are to continue recruitment with emphasis on unrepresented LEAs, continue trainings for parents, and develop awareness on Alternative Dispute Resolution supports and continue the maintenance of the Resource Parent Council website.

6.4 **Accept SELPA Goals for 2018-19**

The Senior SELPA Administrator gave a presentation of the SELPA goals for 2018-19. She stated that the goals are oriented primarily on the areas of education code assigned responsibilities and duties for a SELPA. SELPA will continue focusing on service delivery, trainings on Patterns of Strengths and Weaknesses and will hold the Dyslexia Summit which will happen in November. A second round of AAC Certification trainings will be held for SLPs which will increase the total of people with that expertise in the county from 12 to 28. We’ll also continue working with SMCOE on their MTSS and PBS work and providing guidance and support to all LEAs in the county with their compliance issues.

Board Member Polito called for a motion to accept the SELPA Goals 2018-19 as presented. Board Member Skelly made a motion to accept the goals as presented; Board Member Rosas seconded. Board Members Polito, Campbell, Baker, Rosas, Wooliever, Skelly, Pittman and Macisaac voted in favor; none opposed.

6.5 **Elect Chair and Vice Chair for 2018-19 SELPA Governing Board**

The Senior SELPA Administrator stated that pursuant to Section IV of the SELPA Governing Board By-Laws, the SELPA Governing Board must elect a Chair and a Vice Chair annually. Board Member Polito called for volunteers to be Chair and Vice Chair for 2018-19; Board Members Joan Rosas and John Baker volunteered to be the Chair and Vice Chair respectively.

Board Member Polito called for a motion to elect Board Member Joan Rosas to be Chair and Board Member John Baker to be Vice Chair of the SELPA Governing Board for 2018-19. Board Members Polito, Campbell, Baker, Rosas, Wooliever, Skelly, Pittman and Macisaac voted in favor; none opposed.

7. **UPDATES**

7.1 **Senior SELPA Administrator’s Update**

The Senior SELPA Administrator provided an update of the several projects she is currently working on.

7.2 **Board Member Comments**

There were no comments from the Board.

7.3 **County Superintendent’s Report**

Anne Campbell, County Superintendent of Schools, provided an update of all SMCOE programs/events.

8. **SPOTLIGHT PRESENTATION**

8.1 **Staff from the San Mateo Union High School District will present on best practices for students with disabilities**

The Senior SELPA Administrator introduced Ms. Mary McGrath, Manager of the Mental Health Program at the San Mateo Union High School District, who provided a presentation about their successful mental health and wellness program.

9. ADJOURN TO CLOSED SESSION
9.1 Public Employee Evaluation under California Government Code Section 54957(b)
Title: Senior Administrator, SELPA
Board Member Polito adjourned to closed session at 10:08 a.m.

10. RETURN TO OPEN SESSION
10.1 Report out Results of Closed Session
Board Member Polito returned to open session at 11:10 a.m. with no action to report and direction to share information with the Senior SELPA Administrator.

11. RETURN TO OPEN SESSION
Board Member Polito adjourned the meeting at 11:10 a.m.

Next SELPA Governing Board Meeting – October 23, 2018

Subject: SELPA Meeting schedule for 18 - 19

Agenda Item #: 4.3

Action Requested:
Acceptance

Discussion:
Attached is the list of SELPA meetings for the 18-19 school year.

<table>
<thead>
<tr>
<th>SELPA Governing Board Dates</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 30, 2018</td>
<td>9 - 10:30 AM</td>
<td>A &amp; B</td>
</tr>
<tr>
<td>December 18, 2018</td>
<td>9 - 10:30 AM</td>
<td>A &amp; B</td>
</tr>
<tr>
<td>March 19, 2019</td>
<td>9 - 10:30 AM</td>
<td>A &amp; B</td>
</tr>
<tr>
<td>May 21, 2019</td>
<td>9 - 10:30 AM</td>
<td>A &amp; B</td>
</tr>
<tr>
<td>June 18, 2019</td>
<td>9 - 10:30 AM</td>
<td>A &amp; B</td>
</tr>
</tbody>
</table>

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
Subject: Interagency Agreement between GGRC and SELPA

Action Requested: Accept

Discussion:
The Senior SELPA Administrator has entered into interagency agreements on behalf of the SELPA and San Mateo County Office of Education Early Start Program with Golden Gate Regional Center in San Mateo County. This interagency agreement is required by the Local Plan, and is a single-year agreement that serves as guidance covering collaboration, cooperation and communication between SELPA, LEAs and Golden Gate Regional Center.

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
INTERAGENCY AGREEMENT BETWEEN
GOLDEN GATE REGIONAL CENTER
AND
SAN MATEO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA
REGARDING PART C SERVICES
2018-2019

I. AGREEMENT

The parties to this Agreement are Golden Gate Regional Center and the San Mateo County Special Education Local Plan Area (SELPA). The San Mateo County Office of Education (SMCOE) is the Local Education Agency (LEA) that administers the Early Start Program on behalf of the SELPA.

This Agreement applies to activities and services performed on behalf of infants and toddlers from their birth to thirty-six (36) months of age, and their families who are eligible for early intervention services under Title 14, California Early Intervention Services Act, Chapter 4, Section 95014, and Part C of Title 34 of the Code of Federal Regulations (sections 303.16 to 303.300).

II. PURPOSE

The purpose of this Agreement is to describe selected policies and procedures of Golden Gate Regional Center (GGRC) and SELPA, relating to the implementation of Part C of the Individuals with Disabilities Education Act (IDEA), hereinafter referred to as Part C. GGRC and SELPA will work cooperatively with parents and with other appropriate agencies to enhance coordination, delivery, and quality of services for families. Specifically, this Agreement will define the obligation for provision of services of each agency, the financial responsibilities of each agency, procedures for resolving disputes, and other required components necessary to ensure effective cooperation and coordination between LEAs and GGRC.

III. INTERAGENCY COLLABORATION

A. Financial Responsibility

GGRC and SELPA will operate within the provisions of the October 2004 State Interagency Agreement between the Department of Developmental Services and the California Department of Education. Due to the importance of provisions regarding “Payor of Last Resort”, those pertinent sections of the state interagency agreement are set forth below and incorporated herein by reference:

1. In accordance with Title 17 CCR, Section 52000(b)(37), the “payor of last resort” means the regional center or LEA that is required to pay for early intervention services listed on the [Individualized Family Service Plan] IFSP when third party payers or other agencies do not have an obligation to pay as required by 34 CFR 303.527.

2. Regional Center – The regional center is the payor of last resort for eligible infants and toddlers in accordance with Title 17 CCR, Section 52109. The regional center is not the payor of last resort for eligible infants and toddlers with solely Low Incidence disabilities.

3. Local Education Agency – The LEA is the payor of last resort for eligible infants and toddlers with solely Low Incidence disabilities in accordance with Section 95008 of the California Early Intervention Services Act and Title 17 CCR, Section 52110(a).
4. GGRC is the designated payor of last resort for infants served by GGRC and infants jointly served by GGRC and the San Mateo County Office of Education (SMCOE). The SMCOE shall provide services to infants who have solely Low Incidence disabilities and/or who are dually eligible up to the SMCOE maximum funded capacity of twenty-nine (29) infants. Once the SMCOE reaches its maximum funded capacity, at the discretion of SMCOE, it will refer dually eligible infants and their families to GGRC, who will then assume responsibility for providing appropriate Part C services, except for children with solely Low Incidence disabilities. SMCOE and GGRC will share information about available openings under the maximum funded capacity. SMCOE will provide written notification regarding status of program capacity and inform GGRC of program openings.

B. Information Exchange

GGRC and SMCOE staff will have regularly scheduled meetings to exchange information regarding infant and family needs, services, and information about the status of the SMCOE maximum funded capacity. Both agencies agree to participate in regular meetings to discuss Early Start service delivery, agency procedures, changes in funding, and other pertinent matters that may affect services to mutual clients. Regularly scheduled meetings will be the forum for discussion regarding new resource development and the identification of gaps in services and other matters of mutual concern.

For purposes of this MOU, the contacts for GGRC will be the Manager of Early Start Services or the Early Start Supervisor, and for SMCOE the contacts will be the designated SELPA Administrator and the SMCOE Administrator for Early Childhood Education and Related Services. For purposes of transition to PART B services, the Senior SELPA Administrator will send the GGRC a listing of LEA Special Education Directors at least annually.

IV. PROGRAM IMPLEMENTATION

A. Referral Process

GGRC will be the single point of entry for most eligible infants; however, the SMCOE will provide intake of infants with solely Low Incidence disabilities. The agency receiving the initial referral will contact the family, and notify the other agency of the referral if it appears that the child may be eligible for services from the other agency. The interagency referral form agreed upon by GGRC and SMCOE will be exchanged, reviewed and acted upon within appropriate timelines. Every effort will be made to work collaboratively with parents to enhance communication among families and agencies.

Referrals to the SMCOE-ECE Program will be directed to:
Administrator, Early Childhood Education & Related Services
San Mateo County Schools ECE Program
65 Tower Road
San Mateo, CA 94402
Phone: 650.573.4010
Fax: 650.573.4056

Referrals to GGRC Early Start will be directed to:
Intake Supervisor
Golden Gate Regional Center
3130 La Selva Street Suite 202
San Mateo CA 94403
Phone: 650.574.9232
Fax: 650.522.8901

Referral Forms for Early Start can be located at www.ggrc.org under applying for services. Referral Forms can be faxed to 1-888-339-3306 or emailed to intake@ggrc.org
Referrals will be accepted at all times during the year by both agencies. The forty-five (45) day intake timeline begins on the day the complete referral is received, as documented on each agency’s Early Start Referral Form. (For children in Foster Placement, written consent must be received by the person(s) holding the Educational Rights for the child prior to initiating the referral and subsequent assessment and evaluation). Referrals between GGRG and SMCOE must be exchanged (as indicated) within five (5) working days of the receipt of the complete referral.

When the complete referral is received by GGRG or the SMCOE, a service coordinator will be assigned by the Early Start Program Coordinator for that agency (see Service Coordination). Once a complete referral is received, and a service coordinator is assigned, an assessment for eligibility will be scheduled by the service coordinator.

B. Service Coordination

For children with solely Low Incidence disabilities, SMCOE will provide service coordination. GGRG will assume the responsibility to coordinate services for eligible children who do not have a solely Low Incidence disability. Both agencies will carry out service coordination responsibilities as noted in Title 17 CCR, Section 52121, and will collaboratively determine which agency is responsible for service coordination for children who are dually eligible.

C. Initial Evaluation and Assessment Procedures and Exchange of Information

With written parental consent, qualified Early Intervention staff from the appropriate agency will provide assessments and evaluations based on the following considerations: which agency received the referral, the priorities, needs and concerns of the family, the agency most likely to have services for which the child and family may be eligible, and the status of the mandated capacity for education. The assessment and evaluation may be conducted jointly, with parental consent, if services are likely to be provided by both agencies. SMCOE has responsibility for assessments and evaluations for children with solely Low Incidence disabilities and/or children who may be dually eligible until SMCOE reaches the funded capacity of twenty-nine (29) children. GGRG has responsibility of assessments and evaluations for all other children who may be eligible for GGRG. Assessments and evaluations will be conducted in accordance with 17 CCR, Sections 52082, 52084, and 52086. Assessment/Evaluation data and information obtained by one agency will be made available to the other agency for use in determining eligibility and service needs, with parent consent.

Note: If a referral is received by GGRG or SMCOE of a child previously unknown to either agency who is within six (6) months of turning age three (3), an assessment and evaluation will be conducted, and an initial Individualized Family Service Plan (IFSP) developed. The IFSP will include transition planning and a date for referral to the child’s LEA, no less than 90 days before the 3rd birthday of the child.

D. Individualized Family Service Plans (IFSP)

Both parties to this Agreement will participate in the multi-agency IFSP meeting for any child served by both agencies. Neither agency will make a commitment for the other agency.

The initial IFSP meeting will be held within forty-five (45) days of the documented receipt of the complete referral. The IFSP will contain current information on the child’s level of performance, the family’s priorities, needs and concerns, potential outcomes, and services to be provided. A schedule of services will be noted on the IFSP, with breaks in service indicated. The IFSP team shall determine procedures to ensure the provision of necessary services during periods of breaks when services are required as noted on the
IFSP. GGRC and SMCOE will provide services to eligible children as described in the IFSP until the child turns age three (3).

The service coordinator will provide written notice of all IFSP meetings to the family and to parties providing services. Every attempt will be made to schedule meetings for multi-agency participation, with consideration of appropriate timelines. The parents, GGRC, and SMCOE will participate in the annual IFSP and six-month review meetings for any child served by both agencies. When a service is being requested of either agency whose representative cannot attend the IFSP meeting or be otherwise available, the meeting must be rescheduled. Agreements cannot be made without participation by both agencies. Both agencies will ensure timely provision of services.

Both agencies will follow rules and regulations in accordance with Subchapter 3, Articles 1 and 2, Section 52100, et seq., of Title 17 of the California Code of Regulations. Any changes made to the IFSP must be documented and a copy sent to the other agency.

If English is not the primary language of the family, it is agreed the service coordinator’s agency will provide the services of an interpreter. The IFSP will indicate necessary interpreter/translation services.

E. Transition Procedures

GGRC, SMCOE, and SELPA will work together to assist with smooth transition from services under Part C of the Individuals With Disabilities Education Act (IDEA) to services under IDEA, Part B. GGRC, SMCOE, and SELPA will schedule quarterly meetings with service coordinators and LEA representatives to plan for transition, to assist with calendaring transition meetings for families. Participants in the quarterly “Forum” will have opportunities for input regarding ways to improve either agency’s services to eligible children and families. GGRC and SELPA will work closely with the local Family Resource Center and SELPA’s Resource Parent Council - CAC to support parents and develop strategies to increase parent knowledge of rights and involvement in transition planning.

1. TRANSITION PLANNING

- When a child receiving Early Start Services turns 2-years 6-months, the service coordinator from the responsible agency will initiate the transition process from IDEA Part C to Part B services.
- The parent is notified that transition planning will occur within the next three to six (3-6) months. The IFSP Meeting is held to review child’s progress and parents are notified of the termination of Early Start services as of the child’s 3rd birthday.

2. NOTIFICATION OF IFSP TRANSITION CONFERENCE

- With parental consent, the LEA where the child resides is notified that there will be an IFSP transition planning meeting requesting the attendance of an LEA representative no less than ninety (90) days before the 3rd birthday of the child. An IFSP Transition Conference meeting may be scheduled as early as 2-years 3-months, or at the discretion of all parties, up ninety (90) days prior to the child’s 3rd birthday.
- Within thirty (30) days of the parent and LEA being notified, the family and service coordinator shall agree on the date for the IFSP Transition Conference meeting, and inform the LEA of the agreed upon date, to plan the transition steps necessary for movement into services under Part B. Parent may decline to have the local LEA representative at the IFSP Transition Conference meeting and this will be documented in the IFSP.
3. **CONTENT OF TRANSITION CONFERENCE**

At the IFSP Transition Conference meeting the team will plan the transition steps necessary for movement into services of Part B IDEA and exit from Early Start – Part C IDEA. The IFSP transition planning meeting must include parent concerns and priorities regarding transition, information regarding general education preschool opportunities, steps for transition, and when the Notification of Referral will be sent to the LEA in cases when the transition planning meeting is held prior to ninety (90) days before the 3rd birthday. The IFSP Transition Conference is not considered a Notice of Referral for Part B services.

4. **POTENTIALLY ELIGIBLE**

The State of California has determined that all children in Early Start are “potentially eligible” for Part B services at the age of three (3). No later than ninety (90) days prior to the age of three (3), GGRC will provide a directory of information of “potentially eligible” students, which is called the Notification of Referral (NOR), to the LEA where the student resides. This is in accordance with Family Educational Rights and Privacy Act (FERPA) and Child Find responsibility of Part B IDEA.

The NOR will include (34 CFR Sec. 303.401 (d)):

- Child’s name and date of birth
- Parent contact information (including names, addresses and telephone numbers)
- Service coordinator’s name and contact information

The NOR may additionally include, depending on the circumstances:

- Release/Exchange of Information Form
- The language spoken by the child and family
- With parent consent, Early Start records, including IFSPs and developmental reports.

5. **NOTIFICATION OF REFERRAL (NOR)**

The Notification of Referral is considered a formal referral. Each LEA will work with GGRC and/or SMCOE on the timeline for the NOR, which will be no later than ninety (90) days before the 3rd birthday (34 CFR Sec. 303.209 (b)). A referral for evaluation and assessment for services under Part B of the IDEA, Title 20 USC Sections 1400-1420, will be made no later than ninety (90) days prior to the 3rd birthday or before the LEA’s break in school services longer than 5 days if the child will become three (3) years of age during a break in school services. The transition IFSP shall contain steps necessary to satisfy the referral and the IEP development requirements contained in Education Code Sections 56321 and 56344. The State of California does not have an opt-out policy for parents and parents cannot decline a NOR (under FERPA). Parents will be informed of this procedure and that Early Start Records are protected under the Health Insurance Portability and Accountability Act (HIPAA). Early Start Records, such as IFSPs and developmental reports, require Release/Exchange of Information permission by the parent before they can be provided to any LEA.

6. **LEA RESPONSE TO NOR**

Once the NOR is received the LEA will review the referral and determine if an assessment and evaluation would be appropriate. Parent input will be included, and it is understood that a
parent may choose to decline assessment and evaluation at any time. Prior Written Notice will be provided to the parent informing them of the proposed actions by the LEA regarding the referral. The LEA will respond to the parent in writing within fifteen (15 days) of receipt of the referral. If the LEA and parent agree that the child should be assessed and evaluated, a proposed Assessment Plan with a letter of explanation will be mailed to the family. The parent will sign the Assessment Plan accepting or declining the proposed assessment and evaluation under Part B of the IDEA. If, after review of the referral, the LEA does not agree to assess/evaluate the child, a Prior Written Notice indicating the decision will be sent to the parents within fifteen (15) days of the receipt of the NOR. The LEA will provide referral status to GGRC Service Coordinator. When GGRC obtains appropriate exchange/release of information, LEA will provide a copy of the Prior Written Notice and/or information for IEP, including date and time of IEP, to the GGRC Service Coordination.

7. **LANTERMAN ACT ELIGIBILITY DETERMINATION**

GGRC will complete evaluations and assessment by age three (3) to determine if children will continue to be served after the age of three (3) and will develop Person Centered Individual Program Plans to ensure continuation of services under the Lanterman Act. At parent request, or for infants whom GGRC and/or SMCOE determines through evaluations completed at age 2.6 that the infant will likely not be eligible for Part B services through the LEA or continue to be eligible for GGRC ongoing services, information will be given to the family regarding alternative services.

8. **IEP DEVELOPMENT**

The LEA is obligated to develop an IEP, as appropriate, before the child’s 3rd birthday for any child who is deemed eligible for special education services and who had previous been receiving services provided by Early Start or early intervention services under an IFSP. In the case of children turning three (3) after the last day of the regular or extended school year, or during LEA vacation breaks longer than five (5) days, IEP meetings should be held before the break, with implementation of services to begin when school resumes. The LEA is obligated to consider the unique circumstances of each child with an IEP and consider whether the implementation of the IEP should begin on the child’s 3rd birthday or on a date most appropriate for the child and the program where the child would receive appropriate services and/or placement. When provided with appropriate exchange/release of information consent, or at parent request, the LEA will ensure that the Service Coordinator is informed of the date and time of the IEP and with a copy of the completed IEP document.

9. **SERVICES DURING SUMMER BREAK**

GGRC may provide or purchase services only for preschool students determined eligible for regional center services under the Lanterman Act. (Title 17, Chapter 2, Subchapter 3, Article 3, 52112 (f). GGRC continues to act as the payor of last resort when the LEA and other payment resources have been exhausted. The purchase of educational services by GGRC with the following exceptions: If GGRC is requested to fund services for a child during a time when school is not in session and the person is a Lanterman eligible child, the GGRC may grant an exemption. The exemption would be on an individual basis in extraordinary circumstances to permit the purchase of a service identified above when the GGRC determines that the service is a primary or critical means for ameliorating the physical, cognitive, or psychosocial effects of the person's developmental disability, or the service is necessary to enable the person to remain in his or her home and no alternative service is available to meet...
the person's need. A determination of the need to apply this exemption is based on a multidisciplinary team process undertaken by the GGRC.

10. REFERRALS MADE WITH LESS THAN NINETY DAYS PRIOR TO TRANSITION

For children who are referred to GGRC and/or SMCOE between the ages of 2-years 6-months and 2-years 10.5-months, transition planning will occur simultaneously with the development of the initial IFSP. The LEA will be notified as early as possible, but in no case later than at the time of eligibility for GGRC services. For children who are referred to GGRC and/or SMCOE forty-five (45) to ninety (90) days before the 3rd birthday, a NOR will be made to the LEA by GGRC and/or the SMCOE, and the required steps will be completed for transition as noted above. A transition conference may be held but is not mandatory. For children referred to GGRC and/or SMCOE less than or equal to forty-five (45) days before the 3rd birthday, a referral will be made to the LEA only with parent consent. In the event that a child does not start the GGRC assessment process and/or an IFSP is not developed, then a NOR, a transition plan and a transition meeting are not required. It is the responsibility of the IFSP Service Coordinator to provide the family with transition information as required in Title 17 CCR section 52112. Parties agree to abide by the timetable of activities outlined in IFSP transition plan documents.

11. EXIT IFSP

An exit IFSP will be developed with parent by the 3rd birthday to review outcomes and completion of the steps for Transition. The exit IFSP can be completed in conjunction with the IEP. When provided with exchange/release of information consent, or at parent request, the Service Coordinator will provide a copy of the final IFSP and Early Start Records to LEA.

F. Transfer of Infants with Existing IFSPs

In accordance with 17 CCR Section 52111, each agency, as appropriate, shall arrange for delivery of similar early intervention services as soon as possible for children who have moved to San Mateo County. Assignment of the service provider will be determined using referral procedures as described above, and an IFSP review meeting will be held within thirty (30) days.

G. Coordination of Child Find Activities

GGRC and SMCOE will provide early intervention services to all eligible children within San Mateo County and will coordinate child find efforts within the community. Every effort will be made to provide information to the general public, and to public and private agencies about the availability of early intervention services throughout the San Mateo County.

Each agency, agrees to conduct specific efforts to inform home visiting programs, Child Protection and Welfare (foster care and child protective services) including Child Abuse Treatment and Prevention Act, Family Violence Prevention and Services Act, Early Hearing Detection and Intervention (EHDI), Children’s Health Insurance Program (CHIP), homeless shelters, domestic violence shelters and agencies, Child Care (including Early Head Start/Head Start and private/public child care programs), pediatricians, hospital neo-natal intensive care units, and other programs that serve from birth to three (3) years.

GGRC and SMCOE shall inform primary referral sources of the:

1. Eligibility criteria for early intervention services;
2. Types of early intervention services available through the Early Start Program;

3. Names of contact persons and telephone numbers for GGRC and the SMCOE Early Start program;

4. Federal requirement that a referral shall be made to the GGRC or SMCOE Early Start Program within seven (7) working days of identification of an infant or toddler who is in need of early intervention services.

Referrals of children who may be in need of early intervention services will be actively solicited from community members. Efforts will be ongoing to identify children who are not yet in programs or children who have left the program prior to age 2-years 11-months who may be eligible for services.

V. Surrogate Parents

The San Mateo County SELPA will continue to implement a Surrogate Parent program in accordance with the California Education Code. Staff development will include requirements contained in 17 CCR Section 52175. The IFSP service coordinator will arrange for a Surrogate Parent if needed.

VI. Procedural Safeguards

Each agency shall provide annually a written notification to all children and families enrolled in Early Start Programs within San Mateo County of their right to appropriate early intervention services as stipulated in State and Federal statute.

VII. Dispute Resolution

The following steps will be followed if a dispute arises between GGRC and the SELPA/SMCOE as to:

- The eligibility of the child;
- Which agency is responsible for the child and family evaluation and assessment, service coordination, and the development and implementation of the IFSP;
- Which agency is responsible for the provision or purchase of early intervention services;

**Step (a):** Every attempt will be made to resolve the dispute at the lowest possible administrative level starting with the supervisory level up to the agency Executive Director at GGRC and San Mateo County Associate Superintendent, SELPA.

**Step (b):** If the resolution of the dispute is not achieved, the two parties will request technical assistance first from local resources.

**Step (c):** If resolution cannot be reached within 120 calendar days from the date of request for mediation/facilitation or technical assistance, the issue will be jointly referred to Department of Developmental Services (DDS) and/or California Department of Education (CDE) for a state-level review and resolution.

**Step (d):** The state level review will be conducted jointly by DDS and CDE and a binding decision will be rendered within 120 calendar days of receipt of the written request for review and resolution.

During the pendency of a dispute involving early intervention services, the child may continue to receive the early intervention services currently stated on the IFSP and agreed to by the parent. If the mediation or due process hearing involved the initiation of a service, the child shall receive those services that are not in dispute. Nothing in these dispute resolution procedures shall preclude a parent or an agency from initiating
due process or complaint procedures in accordance with 34 CFR Sections 303.420-303.425 or 34 CFR Sections 303.510-303.512 respectively.

VIII. AGREEMENT IMPLEMENTATION

Agencies agree to schedule quarterly meetings of LEAs, SMCOE, SELPA, and GGRC Service Coordinators for joint consultation regarding the implementation of IDEA, Part C. Parties agree to notify the other party of any staff development opportunities, conferences or workshops pertinent to the implementation of Part C. Early Start program staff and administrators of GGRC, SMCOE, and SELPA, and special education directors and/or their designees, will receive a copy of this Agreement and be informed of the contents of this Agreement for implementation. Future training may be held if new procedures are developed or this Agreement is substantially modified.

IX. TERMS OF AGREEMENT AND REVIEW SCHEDULE

This Agreement shall be in effect from July 1, 2018 until June 30, 2019. Parties will review this Agreement annually and agree to its implementation.

Eric Zigman
Executive Director
Golden Gate Regional Center

Anne Campbell
County Superintendent of Schools
San Mateo County Office of Education

Lisa Rosene, LCSW
Director, Regional Center Services
San Mateo County

Anjanelle Pelletier
Associate Superintendent
San Mateo County SELPA

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San Mateo County Office of Education
Karen Breslow
SELPA Program Coordinator
(650) 802-5473
kbreslow@smcoe.org
Subject: Thank you and Welcome Reception for SELPA Governing Board Representatives – Anne Campbell and Nancy Magee

Agenda Item #: 5.1

Action Requested: None

Discussion: None

Financial Summary: None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
Update on Mental Health Support Services

- The Dooley Corporation has successfully completed their pilot program and is now an official program running county wide. They are independently run and are no longer in need of SELPA support and guidance. They currently have about 30 students in the program and have a success rate of about 85% of re-engaging the student back into school.
- The final mental health allocation has been completed. We overspent as a county wide, as 6 out of 31 LEA’s were required to journal transfer the identified overspent monies back to SELPA. Natasha continues to meet with any and all districts who request a meeting to discuss the total allocated amount, and how the individualized districts spent their allocations. Everyone was given a google sheet which broke down the different areas of costs associated with the mental health allocation.
- Natasha is meeting with the Special Education Directors and CBO’s to discuss the 2018-2019 mental health allocation plan. The meeting reviews the total allocated amount, themes of how the money was spent over the previous year, and ways to contain and or reduce costs.
Subject: Budget Allocation Plan 2018-2019

Action Requested:
An updated 2018-2019 Budget Allocation Plan will be presented for acceptance.

Discussion:
The Budget Allocation Plan outlines the SELPA policies and procedures for allocation of Special Education Apportionments from the California Department of Education to the SELPA Administrative Unit at San Mateo County Office of Education. State and Federal funds are allocated to LEAs pursuant to the SELPA Budget Allocation Plan that has been previously approved by the SELPA Governing Board and member LEA boards. The CDE has made adjustments to the AB602 Allocation to reflect a separate allocation directly to SELPA Administrative Units for the provision of regionalized services and program specialist support. These funds had been rolled into the AB602 based three years ago, and are now a separate line item again. The total funding to the SELPA has not changed, but the Allocation Plan must reflect the separate line items as part of our budget. The total SELPA budget is less than the allocation for RS/PS services. Any remaining funds will be applied to the NPS/LCI fund for the services of the program coordinator who runs that program.

Additionally, a methodology for dissemination of Preschool funds out of the federal Local Assistance Grant was determined and is reflected. We will use a per PreK pupil amount from 17-18 and set aside an amount based on the Prior Year December 1 PreK pupil count. Any applied COLAs or funding increases will be applied to the based amount from 17-18.

Updated funding worksheets have been submitted from the Fiscal Services Division and information from the distribution from the Mental Health funds has been included.

Financial Summary:
The Budget Allocation Plan outlines the annual fiscal allocations to member LEAs and to the SELPA AU.

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
SAN MATEO COUNTY SELPA
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COMPONENTS OF THE BUDGET ALLOCATION PLAN

Special Education Apportionments flow from the California Department of Education (CDE) to the Special Education Local Plan Area (SELPA) Administrative Unit (AU) at the San Mateo County Office of Education (SMCOE). State and Federal funds are allocated to the LEAs pursuant to the SELPA Budget Allocation Plan that is approved by the SELPA Governing Board and is referenced in the Local Plan. Policy and Procedure components related to the Annual Budget Allocation Plan are available at www.smcoe.org/sepal website. Refer to Appendix A - Special Education Funding Spreadsheets.

State Funding

1. AB 602 State Funding (Resource Code 6500 - State)
   AB 602 funding comes from four primary funding sources:
   1) State;
   2) Local Property Taxes;
   3) Excess Revenue Augmentation Fund (ERAF taxes) and;
   4) IDEA Local Assistance (Basic Grant).

   LEAs in San Mateo County SELPA have an AB 602 funding rate based upon prior year P-2 K-12 ADA. The SMCOE does not receive an AB 602 allocation. The SMCOE is a provider of services for LEAs and bills LEAs according to the cost calculation worksheet found in Appendix B.

2. Low Incidence Services, Materials and Equipment (Resource Code 6500 - State):
   The SELPA orders low incidence equipment and materials for eligible students whose IEPs require such equipment and materials. The SELPA Low Incidence Funds Committee meets monthly and approves requests from LEAs and SMCOE special education programs. Equipment purchased or reimbursed with these funds becomes the property of the State of California, must be inventoried, and may follow students, as needed, if they move to another LEA or SELPA within the State of California. Refer to SELPA Low Incidence Guidelines for additional information. A Low Incidence equipment inventory is maintained by the SELPA office. Low Incidence equipment revenue is based on Low Incidence Pupil Count (Primary and Secondary disabilities). LEAs and SMCOE special education programs may access these funds for equipment purchased with State Low Incidence funds and for Low Incidence services provided to students with Low Incidence disabilities (such as interpreters) based on the criteria specified in the Low Incidence Guidelines.

   The CDE provides an amount for Out-of-Home-Care funding based on a December 1, 2016 census. San Mateo County SELPA sets aside $1,645,119 and funds NPS and SMCOE placements, if appropriate, for students in out-of-home placements whose parents reside out of the county. Currently, the SELPA operated NPS/LCI Program, overseen by a SELPA Coordinator, including contracts with Non-Public Schools, transportation and other services pursuant to students’ IEPs, is funded from the Out-of-Home Care funding and Property Tax/ERAF.
Federal Grants

Federal Local Assistance Entitlement (Resource Code 3310 – Federal): The Federal Local Assistance Entitlement is distributed to LEAs by the following formula: 95% Prior Year P-2 ADA and 5% Prior Year Free & Reduced Lunch Count, with an exception for preschool funding.

For 2018-2019, funds previously provided for preschool local entitlement were rolled into RES 3310 rather than a separate allocation under RES 3320. San Mateo SELPA has determined that distribution of federal funds for preschool children will utilize a prior year December 1 preschool count. The total RES 3310 grant will have a set aside equal to an amount of $1524 per preschool pupil for the 18-19 school year. In subsequent years, any applied COLA or other funding increases will be applied to this base amount of $1524 per preschool pupil. Funds will be allocated to LEAs that serve preschool children with special education needs based on prior year December 1 preschool count.

Mental Health Funding

Mental Health Allocation (Resource Code 6512 – State; Resource Code 3327 – Federal): Responsibility to provide related services for students with IEPs for school based mental health needs resides with the SELPA and LEAs. In 2018-2019 California SELPAs are receiving funds from the state for related services of school based mental health to be allocated to at the SELPA level based on SELPA ADA. SELPAs continue to receive $69 million in Federal IDEA funds allocated at the SELPA level based on SELPA ADA. For 2018-2019 the Federal allocation is $1,021,616. The State allocation for Mental Health is estimated to be $5,352,268. In San Mateo County SELPA, funds will be held at the SELPA level for any student or LEA who has appropriate mental health expenditures that meet the Federal and State grant requirements or as outlined in local SELPA policy and procedures related to allowable expenditures.

The SELPA Governing Board approves all mental health funds to remain at the SELPA level and be administered by the SELPA for 2018-2019. SELPA will process and pay for school based mental health invoices provided by approved contractors, including board and care costs for students placed in residential facilities who meet the appropriate eligibility requirements, and school-based mental health services for students at approved NPS. LEAs that accrue allowable mental health expenses per expenditure reporting requirements may apply for reimbursement for internal expenses and for costs related to NPA services. The SELPA has adopted recommended maximum coverage for staffing for internal programs at 75% of annual cost, excluding benefits and burdens, for the portion of the work devoted to allowable activities. The SELPA will review expenditures to ensure that funds supplement rather than supplant previous expenditures. The SELPA has a methodology to deal with payment for mental health expenditures in the event that mental health funds are exhausted. Documents related to dealing with invoicing, Methodology for Dealing with Overage of School Based Mental Health Expenditures and SELPA LEA Certification Forms are available on the SELPA website.

Approved contractors with Master Contracts with SELPA may provide school-based mental health services to students who have this related service on their IEP. In order for an LEA to request reimbursement for approved school-based mental health services delivered by internal programs supervised or created by the LEA, the LEA must use contractors with an approved Master Contract with SELPA or hire staff as LEA employees.
**SELPA High Cost Pools**

The following pools consist of a total of $2M annually held by the SELPA to allocate to LEAs based on special circumstances. Funds will be reimbursed for the following activities at a prorated amount determined each year based on the total number of requests against the funds. Any funds remaining in the High Cost Pool at the end of allocations will be returned to LEAs based on 50% prior year ADA and 50% Prior Year Pupil Count.

1. **High Cost Pools**
   
   a. **Extraordinary/High Costs**
      
      LEAs can access this pool if the cost for a student’s special education and related services is over the high cost threshold. The threshold for 2018-2019 is $85,000 for school age students and $65,000 for preschool students. Transportation costs not included.

   b. **Small LEA Impaction**
      
      This fund was originally established for revenue limit funded LEAs under 901 ADA. All LEAs who may meet the criteria for Small LEA Impaction funds will be recommended to the SELPA Governing Board at the time of adoption of the Budget Allocation Plan. Small LEAs that are community funded no longer qualify for Small LEA Impaction funds.

   c. **Unique Circumstances/Inordinate Suffering**
      
      The criteria for application to this pool are:
      
      - The circumstance arises too late in the prior school year or occurs during the school year so there is insufficient time to make the changes necessary to adapt to the circumstance.
      - The circumstance does not involve an individual child, because this need can be met through individual application to the High Cost Pool.
      - The circumstance is not related to implementation of the current funding model.

2. **Contingency Fund**

   This fund pool was established when AB 602 was chaptered. It was originally established for emergencies. At the May 6, 2008 SELPA Governing Board meeting, the Board voted to (1) continue an annual contribution of $231,869, and (2) set the minimum size of the contingency ending fund balance to not go below $446,361.87, and (3) if there is a remaining fund balance in excess of the $446,361.87, that amount will be distributed to the LEAs on a prior year ADA basis after the close of the fiscal year.

**Other AB602 SELPA Funded Programs**

1. **Court School Funding**

   The revenue set-aside for the court school program funds Special Education and related services for students with IEPs in the SMCOE operated Court School Programs. The Court School programs, including Juvenile School Programs at Hillcrest, Margaret Kemp, and Camp Glenwood, are
programs that SMCOE and SELPA support for the benefit of all students. The budgeted amount for the Court School Programs for the 2018-2019 year is $429,440.

2. SELPA Administrative Unit Funding

The SELPA AU Budget will be developed in collaboration with the Administrators’ Council in spring prior to the June meeting in which the Budget Allocation Plan will be submitted for approval to the SELPA Governing Board. The SELPA AU provides a substantial amount of mental health support services, including invoicing, mental health program coordination, professional development and supervision throughout the SELPA, and these funds will be included in the SELPA budget, but will be paid for out of the SELPA mental health allocation. In the event of a remaining fund balance in excess of the amount allocated to fund the SELPA AU, that amount will be distributed back to the LEAs on a prior year per ADA basis after the close of the fiscal year. For 2018-2019, the amount budgeted to the SELPA AU is $1,077,137, which includes funding for SELPA staffing, professional development trainings, mental health and behavioral health program development activities and all other SELPA support services, including indirect costs that fund the operations of the AU.

Early Start Funding

1. State Funding – (Resource Code 3385 - State)
   San Mateo County Office of Education provides Early Start Services to infants from ages 0-3.

2. Federal Funding - Part C - (Resource Code 6510 - Federal)
   Funds Early Start Services for infants ages 0-3 with solely Low Incidence disabilities.

Other Sources of State Revenue for LEAs

State NPS Extraordinary Cost Pool: The State has $3M set aside for LEAs to apply for funding for students who are placed in NPS where the total cost exceeds a statewide established threshold updated annually. The threshold for 2018-2019 is $73,239.08. LEAs apply for and receive this funding from the State. The SELPA facilitates LEA applications for funding; applications are due to the California Department of Education annually by December 1.

Conditions of Receiving Federal Funds

Maintenance of Effort
a. Federal IDEA Part B funds shall only be used to supplement state, local and other federal funds and not supplant those funds. (E.C. 56841).
b. Federal IDEA Part B funds shall not be used to reduce the level of expenditures for the education of students with disabilities made by LEAs, special education local plan areas and county offices of education from local funds below the level of those expenditures in the preceding fiscal year. There are allowable exceptions for reducing MOE. (Refer to SELPA MOE Policy)

Proportionate Share Calculations for Parentally Placed Private School Students
As a condition of receiving IDEA Federal Local Assistance dollars LEAs must spend a proportionate amount of their federal funds on parentally placed private school students.
IDEA § 300.131 Child Find for Parentally-Placed Private School Children with Disabilities. If an LEA has not expended for equitable services all of the funds by the end of the fiscal year for which Congress appropriated the funds, the LEA must obligate the remaining funds for special education and related services (including direct services) to parentally-placed private school children with disabilities during a carry-over period of one additional year.

a. The student count shall be conducted for attendance on December 1 of the prior year.

b. The student count shall be used to determine the proportionate amount of federal funds that the district of location must spend on providing special education and related services to private school students with disabilities in the fiscal year following the date on which the student count is conducted. (Refer to SELPA Policy Parentally Placed Private School Students with Disabilities)

c. LEAs need to track the money spent on services for parentally placed private school students, including consultation, professional development opportunities, and/or direct services, if any. The proportionate share cannot be used for the cost of conducting assessments. (Refer to IDEA Requirement to Spend Proportionate Amount on Parentally Placed Private School Students for allowable expenditures for the proportionate calculation.) The proportionate share dollars must be spent annually, as the IDEA allows for funds to be carried over for one year only.

Students Served by Other LEAs

Cost Calculation
The district of residence is responsible for paying for the costs of students served by other LEAs. A cost calculation formula is updated annually. (Refer to Student Movement between Districts Policy, Transfer of Special Education Funds Agreement, Appendix C, and Cost Calculation for Students Served by Other Districts, Appendix D.)
Subject: Receive report on Compliance Monitoring in San Mateo County SELPA

Action Requested: Discussion

Discussion: Associate Superintendent for SELPA presented to the SMCOE Board of Education on the range and scope of monitoring activities being completed across the SELPA. A brief overview of the types of monitoring and the focus of monitoring activities will be shared.

The overarching goal of the SELPA team is to ensure alignment between CDE compliance monitoring activities and LEA level LCAP and other planning with the desired outcome of increased student achievement for students with disabilities.

Financial Summary: None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
CDE Special Education Monitoring in San Mateo SELPA

October 17, 2018
Anjanette Pelletier, M.S. LEP
Associate Superintendent, SELPA
System of Support Goals

Serve each student
Build capacity
Sustain improvement
Address inequities
Legal Requirement

Individuals with Disabilities Education Improvement Act (IDEA) … requires that each state reports and disseminates educational data to improve the quality of education for all students with disabilities.
Components of General Supervision

- State Performance Plan
- Fiscal Management
- Data on Processes and Results
- Policies, Procedures, and Effective Implementation
- Integrated Monitoring Activities
- Effective Dispute Resolution
- Improvement, Correction, Incentives & Sanctions
- Targeted Technical Assistance & Professional Development

U.S. Department of Education, Office of Special Education Programs
Special Education Annual Performance Report

- Report by the Special Education Division of California Department of Education
- Educational data based on State Performance Plan
- Focus on improvement in the quality of education for all students with disabilities

https://www.cde.ca.gov/sp/se/ds/leadatarpts.asp
Annual Performance Report Measures

14 State Performance Plan Indicators (SPPI) reported on the Annual Performance Report:

1 – Graduation 4 year rate
2 – Dropout 4 year rate
3 – Statewide assessments
4 – Suspension and expulsion
5 – Least restrictive environment
6 – Preschool least restrictive environment
7 – Preschool assessments
Annual Performance Report Measures (cont.)

8 – Parent involvement
9 – Disproportionate Representation
10 – Disproportionate Representation by Disability
11 – Eligibility Evaluation
12 – Part C to B transition
13 – Secondary transition goals and services
14 – Post-School Outcomes
Focused Monitoring & Technical Assistance (FMTA)
Data Informed Non-Compliance (DINC)

LEAs reporting overdue Individual Education Plans at mandated reporting deadlines – Dec 1 and June 30

• Annual IEPs must be held once every 365 days
• Triennial IEPs must be held once every 3 years

LEA must

• confirm IEP has been held and consented to by parent
• identify root cause of late IEP
• develop a plan to prevent overdue meetings in the future
Disproportionality

Overrepresentation of students with a specific race/ethnic background in the three following areas:

• Eligibility: Identification for Special Education Services

• Learning Environments: Least Restrictive Environment

• Student Discipline

24 of 31 LEAs in San Mateo Selected
Root Causes of Disproportionality

Multiple issues intersect causing disproportionate representation in special education:

• Socio-historical constitution of educational processes and outcomes
• Culture
• Learning
• Disability

Source: CDE Website - http://www.cde.ca.gov/sp/se/qa/crtvaluesbeliefs.asp
Values and Beliefs

- All students are learners

- LEAs and their communities must engage in critical conversations about culturally responsive educational systems

- Disproportionality is not solely a special education issue

- Disproportionality is an outcome of policies, practices, and beliefs

- Disproportionate representation is a complex phenomenon
Eliminating Disproportionality

- Educators must provide all students effective opportunities to learn the academic content based on the Common Core State Standards
- Educators must be responsive to race, gender, and national origin, in order to reduce disparities among and between groups in academic achievement
- Effective educators require continuous professional growth
Performance Indicator Review (PIR)

Annual review of key State Performance Plan Indicators (SPPI)

- SPPI 1: Graduation 4-year Rate
- SPPI 2: Dropout 4-year Rate
- SPPI 3: Statewide Assessments
- SPPI 4a: Suspension/Expulsion, Overall
- SPPI 5: Least Restrictive Environment
- SPPI 8: Parent Involvement
- SPPI 14: Post-School Outcomes

20 LEAs participated in PIR 2017-18
San Mateo SELPA PIR in 17-18

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<td>Woodside Elementary School District</td>
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How the LEA Responds to PIR

- Submit PIR Assurances to SELPA
- Convene Stakeholder Group and Develop Improvement Plan
  - Stakeholders must include General Ed Admin, Special Ed Admin and SELPA representative – may include parents and students if appropriate
  - Improvement Plan should be tied to LCAP and other LEA initiatives
  - Year 1 plans implemented now, Year 2 plans to be completed by Jan 15, 2019
Recommended Practices for PIR

• LCAP goals and outcomes should include and align with PIR areas
  • Dashboard can be source of data for LCAP alignment
• Involve key participants – leadership, general education and special education stakeholders, parents and others
• Coordinate and/or combine stakeholder groups where appropriate
• Ensure PIR targets are included in site and LCAP planning for monitoring.
Compliance Review (CR)

CR is an in-depth student and LEA level review of all the compliance indicators contained in IEPs - there are over 1000 of them.

CFR 34 § 300.600 requires a review of the compliance indicators contained in the Office of Special Education Program's Annual Performance Report (APR).

6 LEAs selected since 2016
Questions - Discussion
Subject: Receive updated Housing Plan Policy related to programs operated by SMCOE K-12 Services

Action Requested: Approve

Discussion:
The Associate Superintendent for SELPA has submitted to the Administrator’s Council an updated Housing Plan Policy to reflect the need for students placed in SMCOE operated programs housed on LEA sites receive equitable treatment, access and resources while they receive services from SMCOE. The AC and SMCOE have a shared commitment to inclusive practices and equitable treatment of all students with disabilities, and the updated Housing Plan incorporates additional language to ensure continuity of program and placement for students.

Three main adjustments were made:

1. Language was adjusted regarding the minimum number of students enrolled in SMCOE operated programs that could trigger a request for program space on an LEA site. Previously the minimum number was 4, now the minimum number will be 1 student.
2. Language was adjusted to extend the period of the facilities agreement between SMCOE and LEAs from one year to three years, unless otherwise agreed to by the parties.
3. Adjustments were made to the dispute resolution process to ensure that any communication or other challenges are worked out at the lowest level possible prior to coming to the SELPA Governing Board.

The housing policy language was reviewed and approved by the Administrator’s Council on October 19, 2018.

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
POLICY

HOUSING PLAN

It is the policy of the SELPA Governing Board that local educational agencies (LEA)s and the SMCOE establish and maintain cooperative and positive partnership to serve students located on LEA sites in SMCOE-operated special education classes. LEAs will work together with SMCOE to create and maintain educational environments that are welcoming and open to students attending SMCOE-operated special education classes. All parties work towards establishing a climate of acceptance for students with special needs and to foster integration at the school sites. Students attending SMCOE-operated special education classes will be provided access to school site programs and activities, as are their non-disabled peers. This will include equal access to lunch, recess, school activities and appropriate classroom and site inclusive opportunities, which should include fieldtrips, assemblies, Outdoor Education, Graduation and Promotion ceremonies, etc. whenever possible and appropriate. The IEP is the determining factor for student participation in the school programs and activities.

It is also the policy of the SELPA Governing Board that LEAs and the SMCOE agree to work towards the elimination of any and all systematic barriers that may be facing students with disabilities.

Approved by SELPA Governing Board 10/3/00
Approved by Administrators Council 10/19/00
Language Clarification 3/6/01
Amendments to Procedures approved by SELPA Governing Board 9/12/06
Revised by SELPA Governing Board 11/2/10
Revised and Approved by SELPA Governing Board 6/10/14
Revised and Approved by SELPA Governing Board 10/30/18
SAN MATEO COUNTY SELPA HOUSING PLAN

Procedures

1. Students will be located in, or as close to, their neighborhood schools as possible and appropriate.

2. All school facilities purchased or newly constructed for use, in whole or part, by students with disabilities shall be designed and located on the schools site so as to maximize interaction between students with disabilities and their non-disabled peers to meet the needs of both. (EC 17070.80) Efforts will be made to maximize the opportunities for students with special needs to be located so they can be educated in the Least Restrictive Environment (LRE). Students with special needs shall be located at sites to support mainstreaming with age appropriate peers.

3. Special education class facilities will comply with all applicable state and federal laws (Section 504, ADA and IDEA).

4. SM COE-operated special education classes shall be included in all site disaster plans and evacuation plans with the particular needs of the students considered.

5. The location of classrooms for students with special needs will attempt to minimize the amount of time students spend in travel from home to school.

6. The relocation of special education classes will be minimized so as to ensure continuity of services for the social, academic and emotional well-being of students with special needs. Special education classes should be relocated with the same frequency as general education classes.

7. Locations that house therapeutic milieu classes must provide appropriate classroom and ancillary space including additional nearby confidential space that will allow for the provision of counseling for students who have IEPs with such services.

8. Each LEA is responsible for providing to SM COE classrooms for students who reside in the LEA and require placement in SM COE-operated special education classes. The distribution of classes is determined by using the following formula: A classroom shall be provided by the LEA when the LEA has 4 or more students enrolled in SM COE-operated programs. For additional classroom considerations, LEA enrollment in SM COE-operated programs is calculated and divided with a divisor of nine (9) students per classroom. If the remainder of the divisor is less than or equal to four (4), an additional classroom is not required. If the remainder is five (5) or above, the LEA is required to provide additional classroom space.

9. Consultation between SM COE and LEA will be used to determine if a classroom should be located on a preschool, elementary, middle or high school campus based on the age range and needs of the students served in the program. Classroom space shall comply with legal standards. SM COE-operated classroom space shall be equitable with typical classrooms on the site in size and configuration.
10. The following procedure will be used to determine space required of each LEA:
   a. No later than October 15th, LEAs will inform SMCOE of their intent to transfer a SMCOE-operated class to an LEA operated class for the following school year.
   b. No later than January 15th, of each year, the SMCOE will provide each LEA with:
      (i) A list of students placed in SMCOE-operated special education classes as of January 15th of that year.
      (ii) By January 15th projected enrollment data for the following school year will be provided with students separated into the number of students in preschool, kindergarten, elementary, middle and high school classes.
   c. No later than March 1st of each year, LEAs will provide the SMCOE Administration, a list of the site(s) where special education classes can be located. Classrooms shall be available no later than three (3) weeks prior to the start of regular school year.
   d. No later than May 15th the SMCOE will inform the LEAs of the classrooms they will be using for the new school year.

11. LEAs will provide the number of classrooms required by the previously stated formula. If the LEA does not meet its obligation, they have two (2) options:
   a. Bear all costs for a classroom(s) on its site(s);
   Or
   b. Find and fund another suitable classroom space in another location or LEA.

12. The following sanction(s) will be invoked for LEA failure to meet their housing responsibility pursuant to Item 8.
   a. Effective July 1st SMCOE will not accept any referrals for the subsequent school year to SMCOE-operated special education classes from that LEA. SMCOE will negotiate with the LEAs on a case-by-case basis if additional classroom space is needed.

13. Classrooms must be available for the regular and extended school year.

14. Referral for placement in an SMCOE-operated program indicates agreement with this policy. This agreement constitutes a three year facility agreement between the LEA and SMCOE, unless both parties mutually agree to a longer facility agreement. Facility agreements will start on August 1st and end on July 30th.

15. Special education classes with extended school year shall be allowed to remain on the site until the end of the extended school year session. SMCOE shall have access to the site for the entire extended school year session.

Maintenance and Operations

1. The LEA is responsible for preparing and maintaining the classroom(s) to the LEA standards. The SMCOE-operated classrooms shall have wiring for telecommunications comparable with other classrooms on site;

2. The LEA will provide custodial services on LEA sites during the regular and extended school year equivalent to the general education classrooms on site and in compliance with health and safety standards.

3. The SMCOE is responsible for necessary interior modifications of classrooms. Interior modifications shall be done only after consultation and approval by the LEA.
4. The LEA will include classrooms occupied by the SMCOE in Williams inspections and will provide the SMCOE with a copy of the report.

5. The LEA will provide internet and technology access equivalent to other classrooms on site, including 21st century technology to access Smarter Balanced Assessments.

6. LEAs will provide dedicated telephone access via landline, VOIP or other available technology, commensurate with any other classroom on site.

**Relocation of Classes**

1. If at the end of this the facility agreement the students have to be relocated within the school site; the LEA will be responsible for moving the class.

2. If the class is moving off site the SMCOE will be responsible for moving the class to the new location.

**Appeal/Dispute Resolution**

In the event that concerns arise about the Housing Policy or other issues related to location and operation of classrooms on LEA sites, parties are encouraged to resolve such concerns at the lowest level of authority possible. Housing concerns should first be discussed between SMCOE program principal and school site principal. If a resolution is not achieved, SMCOE Student Services leadership will communicate with the LEA Special Education Director to continue working towards a student focused resolution. The Associate Superintendent for SELPA may be engaged to facilitate any disputes or other challenges that arise. In the event that resolution cannot be reached, the SELPA Governing Board will hear any unresolved disputes relative to the housing plan at the next scheduled SELPA Governing Board Meeting.
San Mateo County SELPA Governing Board

Board Agenda Item

Meeting Date: October 30, 2018

Subject: Agenda Item #: 7.1
Senior SELPA Administrator’s Update

Action Requested:
None

Attended Coalition for Adequate Funding and SELPA Meetings

Data Informed Non-Compliance (DINC) reports have been received. 18 LEAs received notices of non-compliance occurrence, most for only a few overdue IEPs. However, we do have 8 LEAs that have dramatically increased the number of out of compliance and overdue IEPs in the past two years. SELPA staff will be working on targeted support and information sharing so that this pattern can be reversed. LEAs with 10 or fewer overdue IEPs will receive online support and pre-recorded mini webinars so that individual case managers will be able to understand and prevent overdue IEP causes. Three LEAs with more than 10 overdue IEPs will receive individualized supports in root cause analysis of overdue IEP occurrences and specific training support for staff to prevent continued occurrence of overdue IEPs. LEAs with DINC findings will be making corrections at the student level if possible, or submitting corrective action plans for issues where student level corrections cannot be made. We have previously provided trainings and memos for staff for systemic issues, a second round will be shared. DINC submission corrective actions are due by November 30.

Performance Indicator Review LEAs are awaiting notification of initial or ongoing participation. We anticipate being notified before November 15. Last year 20 LEAs were selected for this compliance monitoring activity, which include convening of a stakeholder group to review and identify systemic and root causes of non-compliance with the Annual Performance Report Indicators. Local PIR plans to address indicator compliance challenges will be due to CDE by January 15. A SELPA member will be part of each local stakeholder group, which means a lot of upcoming months.

Disproportionality review participants were identified and informed on September 21. All LEAs selected (24 out of 30) reviewed and collated the required documents for submission to CDE by October 8. SELPA facilitated a secure transfer protocol - Share File – for all submissions so that CDE would not have to be provided access to our SEIS files and so that individual LEAs would not have to deliver files to CDE for review. The number of LEAs throughout California identified for disproportionality reviews was over 1100 out of 1300 LEAs (including charters). Our SELPA determined that Share File would best meet our needs as we had so many files for review. Most LEAs reviewed between 10 and 30 files, depending on size. We anticipate that CDE will review and provide LEAs with required corrective actions before December 1.

Provided Facilitated IEP services, staff development, workshops and case review services to member LEAs and parents. Facilitated IEP training for a new cohort of staff from LEAs was well attended, and we are also providing the training to nearby SELPAs to improve our community of practice and potential for sharing resources.

Provided CBOs and fiscal staff with mental health allocation documents and working with fiscal staff to complete the required end of year reporting documents including: Excess Cost Calculation worksheets and SEMA/SEMB support for Maintenance of Effort reporting. Reports are due to CDE this year on November 15. Multiple LEAs required individual support in completion of excess cost calculations, SEMA/SEMB worksheets and to support LEAs in
completing MOE exemption worksheets. SELPA will complete the subsequent year tracking sheets for each LEA – this work is in progress. CDE has been auditing these very carefully from last year, so we are grateful that our fiscal support: Minette Manio and our new fiscal analyst Kanwal Dhaliwal have been very thoughtfully been reviewing all submissions for accuracy and compliance prior to our submission.

Regional Private School meeting being held on October 19th. Private School Proportionate Share presentation and funding exhibits will be shared with AC as well. This is our annual opportunity to meet with all local Private Schools who attend, to provide them with an opportunity to consult on our special education related services and request supports, trainings and information related to Child Find activities throughout the SELPA.

SELPA PD calendar for the year is published on the website. There continue to be challenges with scheduling and attendance – the impact of staffing issues at the local level means limited release time available for PD attendance. We have expanded offerings for Paras, but again attendance is a challenge. We will be attempting to video archive an upcoming training to see if we can get additional persons exposed to material in this manner.

We have 14 new Special Education Administrators - ranging from some with limited prior experience with administration or special education to experienced administrators shifting to expanded roles in new districts. The SELPA team has added substantial opportunities for consultation, mentoring and coaching for new members of our SELPA member team.

Legislative update: A List of key legislation that was being monitored is attached. Highlights:

1. Several bills related to increasing funding for special education in a variety of areas did not pass, but there was a lot of interest and engagement, and this is a positive. SELPA Association will work to fine tune messaging and to work on continuing legislative fixes for chronic underfunding.

2. A bill related to restraint and seclusion for ALL students passed. Kathy Meola will be presenting to AC on the implications of this bill that goes into effect in 2019.

3. SB 354 is not on the list. This is the second round of a bill related to translation of IEP documents. We engaged in lots of direct advocacy on behalf of LEAs related to this issue and the Governor eventually vetoed this bill, citing language shared with his analysts in his signing statement.

SELPA staff are participating in CISC training focused on improvement science and differentiated assistance. All SELPA staff will attend the Carnegie Improvement Science Summit in April and we will incorporate PDSA practices as part of our LEA support related to data, student outcomes and program monitoring. Current application is occurring via our partnership with SMCOE on Differentiated Assistance to two LEAs and in support provided to LEAs struggling with Disproportionality.

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
AB 3136 (O'Donnell) – Special Education Finance
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB3136
Held in the Senate Appropriations Committee.

AB 2657 (Weber) – Restraint and Seclusion
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2657
Signed into law by Governor Brown.

AB 2423 (Holden) – Physical Therapists
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2423
Signed into law by Governor Brown.

AB 3096 (Rubio) – School Accountability Report Card
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB3096
Held in the Senate Appropriations Committee.

SJR 19 (Wilk) – Special Education Funding
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SJR19
Adopted.

AB 2083 (Cooley) – Foster Youth: Trauma-Informed System of Care
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2083
Signed into law by Governor Brown.

AB 1951 (O'Donnell) – Pupil Assessments
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1951
Vetoed by Governor Brown.

**Governor's Message**

To the Members of the California State Assembly: I am returning Assembly Bill 1951 without my signature. This bill requires the Superintendent of Public Instruction to approve one or more nationally recognized high school assessments that a local school may administer in lieu of the state-administered high school summative assessment, commencing with the 2019-20 school year. Since 2010, California has eliminated standardized testing in grades 9 and 10 and the high school exit exam. While I applaud the author's efforts to improve student access to college and reduce "testing fatigue" in grade 11, I am not convinced that replacing the state's high school assessment with the Scholastic Aptitude Test or American College Test achieves that goal. Our K-12 system and our public universities are now discussing the possible future use of California's grade 11 state assessment for college admission purposes. This is a better approach to improving access to college for under-represented students and reducing "testing fatigue". Sincerely, Edmund G. Brown Jr.
SB 354 (Portantino) – IEP Translation Services
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB354
Vetoed by Governor Brown.

Governor’s Message

To the Members of the California State Senate: I am returning Senate Bill 354 without my signature. This bill requires local schools, upon a parent's request, to translate a student's individualized education program (IEP) and other related documents prepared as part of their special education services in the native language of the parent within 30 days of the IEP meeting. I cannot support this bill. Current law requires that non-English speaking parents understand their child's IEP, and in fact gives parents the right to have an interpreter present at their child's IEP meetings. To the extent that this is not sufficient, I think the remedy is best handled at the local school district. Sincerely, Edmund G. Brown Jr.

AB 2171 (Frazier) – Inclusion of Employment Planning in IEP
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2171
Died on the inactive file.

SB 1127 (Hill) – Medical Cannabis at Schools
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1127
Vetoed by Governor Brown

Governor’s Message

To the Members of the California State Assembly: I am returning Assembly Bill 2168 without my signature. This bill establishes the Special Education Teacher Grant program for the purpose of retaining and mentoring special education teachers. While I support the need to retain and support special education teachers, I cannot support this bill. The 2018 Budget Act includes $50 million Proposition 98 General Fund for the Local Solutions Grant Program for schools to develop and implement new, or expand existing, locally identified solutions that recruit, support and retain special education teachers. Nothing in the grant language prohibits schools from providing mentors for special education teachers. Sincerely, Edmund G. Brown Jr.

AB 2580 (Cunningham) – Special Education Due Process Hearings
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2580
Signed into law by Governor Brown.

AB 2168 (Thurmond) – Special Education Teachers Grant Program
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2168
Vetoed by Governor Brown.

Governor’s Message

To the Members of the California State Assembly: I am returning Assembly Bill 2168 without my signature. This bill establishes the Special Education Teacher Grant program for the purpose of retaining and mentoring special education teachers. While I support the need to retain and support special education teachers, I cannot support this bill. The 2018 Budget Act includes $50 million Proposition 98 General Fund for the Local Solutions Grant Program for schools to develop and implement new, or expand existing, locally identified solutions that recruit, support and retain special education teachers. Nothing in the grant language prohibits schools from providing mentors for special education teachers. Sincerely, Edmund G. Brown Jr.
SB 328 (Portantino) – School Start Time

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB328

Vetoed by Governor Brown.

**Governor's Message**

To the Members of the California State Senate: I am returning Senate Bill 328 without my signature. This bill would prohibit middle and high schools from starting earlier than 8:30 in the morning, unless in a rural area. This is a one-size-fits-all approach that is opposed by teachers and school boards. Several schools have already moved to later start times. Others prefer beginning the school day earlier. These are the types of decisions best handled in the local community.

Sincerely, Edmund G. Brown Jr.

AB 1436 (Levine) – Suicide Prevention

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1436

Signed into law by Governor Brown.

AB 2022 (Chu) – Notification About Student Mental Health Services

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2022

Signed into law by Governor Brown.

AB 2639 (Berman/O'Donnell) – Suicide Prevention Policies

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2639

Signed into law by Governor Brown.

SB 972 (Portantino) – Pupil Identification Cards/Suicide Hotline Numbers

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB972

Signed into law by Governor Brown.

SB 1019 (Beall) – Mental Health Partnerships

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1019

Vetoed by Governor Brown.

**Governor's Message**

To the Members of the California State Senate: I am returning Senate Bill 1019 without my signature. This bill would require the Mental Health Services Oversight and Accountability Commission to allocate at least half of its triage grant funds to local education and mental health partnerships. The bill as written would limit the Commission's authority to exercise its judgment in the distribution of these grants. I believe the better practice would be to leave this matter to the Commission. Sincerely, Edmund G. Brown Jr.
Board Member Comments

Action Requested:
Discussion

Board Members will be provided with an opportunity to share information relevant to special education, the operation of the SELPA, or other information of interest to the special education community as a whole.

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
Board Agenda Item

Meeting Date: October 30, 2018

Subject: County Superintendent Update

Agenda Item #: 7.3

Action Requested: Discussion

Anne Campbell, County Superintendent, will provide an update on the San Mateo County Office of Education programs and services.

Financial Summary: None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator
San Mateo County SELPA Governing Board

Board Agenda Item

Meeting Date: October 30, 2018

Subject: San Mateo County SELPA Application for Systemic Improvement Lead

Agenda Item #: 8.1

San Mateo County SELPA Application for Systemic Improvement Lead

Action Requested:
Discussion

Associate Superintendent for SELPA will share the San Mateo County SELPA application for Systemic Improvement Lead as part of a 4 SELPA consortium. In partnership with Humboldt- Del Norte SELPA, East Valley SELPA from San Bernardino, and Ventura County SELPA, San Mateo County SELPA is applying to CCEE and CDE to be considered for a 5 year grant focused on educational improvement and success for students with disabilities.

SMC SELPA will engage in developing plans and goal setting to have meaningful impact across the state. SMC SELPA will:

1. Facilitate partnerships with COEs, Supporting Inclusive Practices, and others to increase inclusive practices
2. Build capacity in addressing systemic challenges in equity, discipline and inclusive practices to prevent disproportionate representation of students of color and SWDs
3. Promote cultural humility and growth mindset concepts, and develop, adapt and deliver trainings, resources and coaching support statewide
4. Connect improvement communities for trauma responsive practice, dyslexia, structured literacy, and improvement science for monitoring and implementation expansion.

RFA documents were submitted on October 26, including supporting attachments and letters of support from across Northern California. Interviews for finalists are scheduled for November 16 or 19, and final determinations should be made by December 15, 2018.

Financial Summary:
None

Prepared By: Anjanette Pelletier, Senior SELPA Administrator