East Valley SELPA

Board of Directors Meeting Agenda



February 21, 2024

EAST VALLEY SPECIAL EDUCATION LOCAL PLAN AREA BOARD OF DIRECTORS

AGENDA

Wednesday, February 21, 2024 2:00 P.M.

Meeting to be held at: 670 E. Carnegie Drive San Bernardino, CA 92408

NOTE: Individuals, who require disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board of Directors meeting, should contact Patty Metheny in writing at the address identified above. Notification 48 hours prior to the meeting will enable the East Valley SELPA to make reasonable arrangements to ensure accessibility to this meeting.

1.	<u> Open Session – Call to Order</u>
2.	Roll Call and Establishment of Quorum
3.	<u>Approval of Agenda</u>
4.	<u>Community Comments</u>
5.	<u>Approval of Minutes</u>
6.	Discussion Items

- a) EV SELPA Supporting Inclusive Practices Summit
- b) EV SELPA NonPublic School 2nd Quarter 2023-24 Reporting
- c) EV SELPA New IEP Vendor Selection Process

7. Action Item

a.) Approve EV SELPA IEP Vendor 2024-2025

OPEN SESSION

ESTABLISHMENT OF QUORUM

APPROVAL OF AGENDA

COMMUNITY COMMENTS

APPROVAL OF MINUTES

DISCUSSION ITEMS

- b.) Approve Revised EV SELPA Regional Program Policy
- c.) Identify EV SELPA Board of Directors FY 2024-2025 Budget Ad Hoc Committee Members

8. <u>Other</u>

OTHER

a. Next Meeting – March 20, 2024

9. Adjournment

ADJOURNMENT

APPROVAL OF MINUTES

East Valley SELPA Board of Directors Meeting November 15, 2023

Chief Administrative Officer Metheny is requesting approval from the Board of Directors of the East Valley SELPA for approval of the November 15, 2023, meeting minutes.

EAST VALLEY SELPA BOARD OF DIRECTORS MEETING MINUTES November 15, 2023

BOARD MEMBERS PRESENT:

Ted Alejandre, Chairperson Frank Miranda, Ed.D. Juan Cabral Cuauhtémoc Avila, Ed.D. Mirlene Pierre Cali Binks San Bernardino County Supt. Of Schools Colton Joint Unified Redlands Joint Unified Rialto Unified SBCSS Student Services Division Yucaipa-Calimesa Joint Unified

SECRETARY TO THE BOARD PRESENT:

Patty Metheny, Ed.D.

East Valley SELPA

ALTERNATE MEMBERS PRESENT:

Shannon Hansen

Rim of the World Unified

ADMINISTRATION PRESENT:

Jennifer Brooksby Rick Homutoff, Ed.D. Andrea Tennyson East Valley SELPA East Valley SELPA East Valley SELPA

1.0 CALL TO ORDER

Chairperson Alejandre called the meeting to order at 2:00 p.m. in the East Valley SELPA Conference Room at 670 E. Carnegie Drive, San Bernardino, California.

2.0 ROLL CALL AND ESTABLISHMENT OF QUORUM

Quorum was established.

3.0 APPROVAL OF AGENDA

A motion to approve the agenda was made by Member Binks and seconded by Member Avila. The motion carried unanimously.

4.0 COMMUNITY COMMENTS

There were no public comments.

5.0 APPROVAL OF MINUTES

A motion to approve the September 20, 2023, and October 25, 2023, Board Meeting Minutes was made by Member Cabral and seconded by Member Binks. The motion carried unanimously.

6.0 DISCUSSION ITEMS

a. EV SELPA Parent Resource Fair Review – November 3, 2023

Chief Administrative Officer (CAO) Metheny provided an overview of the successful EV SELPA Parent Resource Fair held on November 3, 2023. CAO Metheny explained this has been a dream of hers since she started her tenure with the SELPA. For this fair, the EV SELPA partnered with KVCR who highlighted their Learn with Me Initiative in partnership with San Bernardino County Superintendent of Schools. The EV SELPA also partnered with the Hidden Disabilities Sunflower project, an international nonprofit that seeks to bring awareness to individuals who do not have visible disabilities and may require additional assistance. A highlight of the event included contributions from former East Valley SELPA students and parents who participated on a panel answering questions and providing information to current parents of students with disabilities. Over sixty vendors and resources for parents were provided. A short video with highlights of the day was shared. Member Binks thanked CAO Metheny for bringing her remarkable leadership to our SELPA and for bringing this fair and resources to our community.

b. Second Read: Revised EV SELPA Regional Program Policy

Chief Administrative Officer Metheny presented, for its second read, the EV SELPA Regional Program Policy. No changes or comments were made. It will be presented for approval during the February 2024 Board of Directors Meeting.

c. EV SELPA NonPublic School 1st Quarter 2023-24 Report

Chief Administrative Officer Metheny shared the 1st Quarter NonPublic School NPS Report. CAO Metheney reviewed the administrative procedures and requirements for NonPublic Schools as well as associated costs. She remarked that the efforts of member districts to return students to district programs is reflected in decreased costs compared to the previous year.

7.0 ACTION ITEMS:

a. Redlands USD Request to Transfer Occupational Therapy OT Program
i. Permit Request Outside of Policy Timeline

Chairperson Alejandre presented the action item to permit Redlands USD to request the transfer of OT services from EV SELPA to district outside of the timeline within the EV SELPA transfer policy. A motion to approve was made by Member Avila and seconded by Member Pierre. Member Miranda, Member Cabral, Member Avila, Alternate Member Hansen, and Member Pierre voted yay. Member Binks voted no. The motion to permit Redlands USD to request outside of policy timeline carried.

ii. Grant Transfer Request

As the East Valley SELPA Board of Directors approved the request to transfer services outside of the policy timeline, Chairperson Alejandre presented the action to grant the transfer of OT services from EV SELPA to Redlands USD. A motion to approve the transfer request was made by Member Avila and seconded by Member Miranda. The motion carried unanimously.

8.0 OTHER: The next meeting will be on February 21, 2024.

9.0 ADJOURNMENT: The regular meeting was adjourned at 2:24 p.m.

Submitted by: Rosalva Contreras EVSELPA Administrative Assistant

DISCUSSION ITEM

EV SELPA Supporting Inclusive Practices Summit

Chief Administrative Office Metheny will provide information regarding the EV SELPA Supporting Inclusive Practices Summit on May 1, 2024 at the Riverside Convention Center.



EV SELPA & SIP PROUDLY PRESENT

UNITED IN INCLUSION

A Leadership Summit to Collaborate, Imagine, and Build the Future of Inclusive Education

RIVERSIDE CONVENTION CENTER WEDNESDAY, MAY 1, 2024

CLICK HERE TO REGISTER Password: EVSELPA

- 8:00 Check-in and light refreshments
- 8:40 Opening keynote with Alycia Anderson
- 9:30 A Case for Inclusion
- 10:30 Cultural Beliefs
- 12:00 Lunch
- 1:00 Logic Models
- 2:30 Closing remarks

Casual attire that proudly represents your school and/or district is encouraged.

DISCUSSION ITEM

EV SELPA NonPublic School 2nd Quarter 2023-2024 Reporting

On behalf of its member districts, the EV SELPA contracts with and processes invoices for district students receiving services from non-public schools and residential treatment centers. As per Board request, Chief Administrative Officer Metheny will present the 2023-2024 2nd Quarter NonPublic School and Residential Treatment Centers Report.



NonPublic School Report

Second Quarter 2023-2024

East Valley SELPA Board of Directors February 21, 2024

> Patty Metheny, Ed.D. Chief Administrative Officer

The East Valley SELPA, on behalf of its member districts, contracts with nonpublic schools (NPS) and residential facilities. NPS expenditures are brokered through the EV SELPA office and via the regional Inland Empire SELPA Association (IESA). In addition, the EV SELPA processes all related invoices and provides payments on behalf of its member districts. All NPS contract costs for tuition, mental health services and residential placements, per the students' IEPs, are paid by the EVSELPA on behalf of the districts. The EV SELPA bills the districts on a quarterly basis for all actual costs paid. The EV SELPA reports the quarterly billing transfers in regularly scheduled EV SELPA Steering Committee meetings and provides quarterly comprehensive NPS reporting to the EV SELPA Board of Directors.

Non-Public Schools							
Name of Facility	Location		Numbe	er of EV S	ELPA St	udents	
		Colton	Redlands	Rialto	Rim	YCJUSD	Total
Altus Academy	Rialto, CA	2				1	3
Beacon Day	La Palma, CA	1					1
Canyon View	San Dimas, CA						
Joan Macy	La Verne, CA		1	4	1		6
Leroy Haynes	La Verne, CA	3	2	1			6
Port View Prep	Ontario, CA	1	1	1			3
Precious Hearts	San Bernardino, CA	1	1		2		4
Sierra of East Valley	Colton, CA	5	1		1	3	10
Spectrum	Chino Hills, CA			3			3
Stone Ridge Academy	Upland, CA		1	1	1		3
TOTAL		13	7	10	5	4	39

2023-2024

	Residential Treatment Centers						
Name of Facility	Location		Numbe	er of EV S	ELPA Stu	dents	
		Colton	Redlands	Rialto	Rim	YCJUSD	Total
CALO	Lake Ozark, MO					1	1
Cinnamon Hills	St. George, UT	1					1
Devereux	Viera, FL			1			1
Lava Heights Academy	Toquerville, UT					1	1
New Haven Youth	Vista, CA				1		1
San Diego Center	San Diego, CA	1					1
Sorenson's Ranch	Koosharem, Utah					1	1
Turning Winds	Troy, MT						
TOTAL		2	0	1	1	3	7

*Student counts reflect students enrolled at this non-public school/residential treatment center for this quarter, one or more students at this facility have transferred to a different NPS/RTC within the same quarter.

Assembly Bill 1172 Requirements

AB1172 requires each NPS/A to provide annual behavior training to all staff that encounter students during the school day. The NPS/A is required to provide to the EV SELPA evidence of the training. The EV SELPA reviews the documentation and provides the verification to any NPS/As with which EV SELPA holds the contract on behalf of its member districts. If an individual LEA holds a contract with an NPA independent of the EV SELPA, the LEA will review the documentation and provide the verification.

Name of Facility	Location	Ве	havior Training
		Date Provided	Date Verified by EV SELPA
Altus Academy	Rialto, CA	8.24.23	8.29.23
Beacon Day	La Palma, CA	8.15.23	9.1.23
Canyon View	San Dimas, CA	9.21.23	9.25.23
Change Academy at Lake of the Ozarks	Lake Ozark, MO	10.18.23	10.25.23
Cinnamon Hills	St George, UT	9.25.23	9.26.23
Devereux	Viera, FL	9.29.23	11.1.23
Joan Macy	La Verne, CA	9.13.23	9.15.23
Lava Heights Academy	Toquerville, UT	7.25.23	8.4.23
Leroy Haynes	La Verne, CA	5.31.23	6.7.23
Port View Prep	Ontario, CA	8.22.23	8.23.23
Precious Hearts	San Bernardino, CA	10.4.23	10.10.23
San Diego Center	San Diego, CA	9.11.23	10.2.23
Sierra of East Valley	Colton, CA	9.11.23	9.21.23
Sorenson Ranch	Koosharem, Utah	10.5.23	10.5.23
Spectrum Center	Chino Hills, CA	10.5.23	10.6.23
Stone Ridge Academy	Upland, CA	10.4.23	10.10.23
Turning Winds	Troy, MT	10.19.23	12.04.23

AB1172 requires that the LEA conduct an annual monitoring visit for each student placed at an NPS. The annual monitoring includes student observation, facility walk-through/visit, and review of student progress toward goals. The LEA conducts the annual monitoring using the designated EV SELPA form and submits the form to the EV SELPA when completed. EV SELPA submits the forms to CDE on behalf of its member districts and maintains a database to ensure all placed students are reviewed annually. EV SELPA conducts the annual monitoring visit for each student placed in a residential facility.

Number	Number of District Annual Monitoring Observations Completed this Quarter for NPS Placed								
	Students								
Colt	on	Redlands		Rialto		Rim		YCJUSD	
Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled
0	13	2	7	0	10	0	5	0	4

Number of District Annual Monitoring Observations Completed Year, to-date							
Colton	Redlands Rialto Rim YCJUSD						
0	2	0	0	0			

Number of EV SELPA Monitoring Observations/Visits Completed this Quarter for Residentially Placed Students*									
Colt	Colton		Redlands		Rialto		m	YCJUSD	
Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled
1	2	0	0	0	1	0	1	2	3

Number o	Number of EV SELPA Monitoring Observations/Visits Completed Year, to-date, for Residentially Placed Students*							
Colton	Redlands	Rialto	Rim	YCJUSD				
1 0 1 1 3								

*It is the practice of the East Valley SELPA to provide more visits for students placed residentially than the required annual monitoring visit under AB 1172.

California Department of Education, Special Education Division NPS Monitoring

Non-public schools are cycled through a regular series of on-site reviews and self-reviews by CDE every three years. SELPAs who hold a Master Contract with a NPS and LEAs with students enrolled in the NPS are notified of planned on-site reviews as well as "unannounced visits." It is the practice of the East Valley SELPA to be present at each of these meetings.

Based on CDE reviews there are four certification ratings for a Nonpublic School:

1. Approved – no restrictions

2. Conditional – indicating some level of CDE support, oversight, and required corrective actions

3. Suspension – may not take new students

4. Revocation – unable to accept Special Education dollars for placement but may continue to operate as a private school

Name of Facility	CDE Approval Status	Date of CDE Onsite Review
Altus Academy	Approved	8.2.22
Beacon Day	Approved	6.8.21
Canyon View	Approved	1.24.24
Cinnamon Hills	Approved	
CALO	Approved	
Devereux	Approved	4.9.21
Joan Macy	Approved	11.30.22
Lava Heights	Approved	

Leroy Haynes	Approved	12.1.22
New Haven	Approved	
Port View Prep	Approved	12.14.22
Precious Hearts	Approved	5.17.22
San Diego Center	Approved	
Sierra of East Valley	Approved	
Sorenson's Ranch	Approved	
Spectrum Center – Chino Hills	Approved	
Stone Ridge Academy	Approved	2.4.22
Turning Winds	Approved	

East Valley SELPA does not currently have a Master Contract with any Non-Public School with a CDE certification rating of "Conditional" or "Suspension".



East Valley SELPA 23-24 2nd Quarter NPS Cost Totals

Nor Staudents neade vegeenthy INPS Education 14 13 Prior Yr 02 Total*** Prior Yr 02 Total*** 01 Not Prior Yr 02 Total*** 00 Nov 00 Nov 00 C 02 Total NPS Education** \$ 248,220,51 \$ 13,757.07 \$ 13,943156 \$ 12,0439.44 \$ 10,4827.46 \$ 265,571.66 \$ 265,571.66 \$ 265,571.66 \$ 265,5202.44 \$ 12,0439.44 \$ 10,4827.46 \$ 378,655.72 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 70.2039.7 \$ 318,431.56 \$ 12,0439.44 \$ 10,4827.46 \$ 378,655.72 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 70.2039.77 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$ 2023.2024 \$	Colton	2022-2023				2023-2024			
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*NPS Education includes: tuition & related services with the exception of counseling

** NPS Mental Health includes: residential cost, counseling, WRAP, residential student travel including parent travel reimbursment

*** Prior Yr totals not included in current year grand totals

DISCUSSION ITEM

EV SELPA New IEP Vendor Selection Process

Program Manager Jennifer Brooksby and Chief Administrative Officer Metheny will provide an overview of the selection process the East Valley SELPA has engaged in selecting a new IEP vendor. Faucette Micro Systems creator of WebIEP announced their retirement scheduled for June 30, 2024.



IEP Vendor Selection Process

2023-24 School Year

WebIEP, operated by Faucette Micro Systems (FMS), Inc., has been the electronic IEP system for the East Valley SELPA since 2001.

SELPA System II WebIEP Login

	Username
- ALL	Password
	Forgot username or password?
	Note: Passwords are case sensitive
	Login
	Convight (a) 2001 2023 by Equatte Micro Systems Inc.

Copyright (c) 2001-2023 by Faucette Micro Systems, Inc. All rights reserved.



Announcement

In February 2023, FMS notified the East Valley SELPA of their intent to retire at the end of the 2023-24 school year, necessitating a new IEP vendor.



Overview

- Identify potential vendors
- Develop vendor selection committee
- Live vendor demonstrations
- Tech meetings
- SELPA administrator interviews
- Pilot and survey
- Transition Planning with WebIEP



Vendor Interviews – July 2023



IEP Vendor Selection Committee Meetings August – December



IEP Vendor Selection Committee Priorities

- Ability to easily run reports
- Ease of transferring students to a new LEA
- Expandable text boxes
- Ability to customize caseloads
- Dashboard for upcoming due dates
- Service log integration
- Access to goal banks
- Personalized attention at the help desk
- Onboarding for new users





Tech Meetings October – November

Two staff from SBCSS and two from districts

- Identified key areas for smooth transition
- Problem-solved housing historical data
- Confirmed integration priorities
- Discussed API integration to ETS
- Roll-over issues addressed

Tech Observations

- Uptime for both platforms are comparable
- SIRAS appears to be flexible in what they are willing to offer
- Most of the surrounding districts and SELPAs use SEIS, SIRAS is more prevalent in Northern CA.
- SIRAS tech support is small
- SEIS is piloting ETS API
- SEIS is County office owned and won't be sold off for profit
- SIRAS has not onboarded a new client since switch to CALPADS





SELPA Administrator Interviews

- Interviewed two SELPA administrators
 - One went from WebIEP to SIRAS
 - One went from WebIEP to SEIS
 - Has worked with SIRAS and SEIS
- SEIS is visually appealing
- State forms committee is SEIS-driven
- Easy to transfer SEIS students
- SIRAS is willing to problem-solve
- SIRAS "needs more staff"

Exploration Program

- Selection Criteria:
 - Voluntary for all WebIEP "end users"
 - No prior experience with SEIS or SIRAS
 - Willing to fill out a survey
- 76 volunteers for 25 user licenses
 - Colton 6, Redlands 6, Rialto 6, Rim 3, Yucaipa – 4
- Both platforms open November 6th December 1st
- 32% response rate to the survey



Quantitative Responses

- 14 tasks (e.g., develop an IEP, open an Assessment Plan, run a report, etc.)
- Force ranked either SEIS or SIRAS
- 64% of responses were evenly split
- 36% of responses favored SEIS
- 0% of responses favored SIRAS



Qualitative Responses – SEIS

<u>Cons</u>

• SEIS is not user-friendly and is difficult to navigate

<u>Pros</u>

- SEIS seemed user friendly
- Goal bank is easy to navigate
- SEIS looks pretty
- SEIS is streamlined
- Present levels expand
- No lag or waiting for pages to load
- The dashboard is very detailed

Qualitative Responses – SIRAS

<u>Cons</u>

- SIRAS is not modern looking
- SIRAS is not user-friendly
- SIRAS is difficult to navigate and difficult to find areas of the IEP
- SIRAS did not grab my attention
- Going from page to page was time consuming

<u>Pros</u>

- SIRAS is a lot like our previous system
- Easy to find the needed documents

Timeline: July 2023 – February 2024



Timeline: March 2024 – August 2024 *DRAFT*



ACTION ITEM

Approve EV SELPA IEP Vendor 2024-2025

Chief Administrative Officer Metheny is requesting the approval of the new East Valley SELPA IEP Vendor for 2024-2025 based on the information provided in the previous item.

ACTION ITEM

Approve Revised EV SELPA Regional Program Policy

Chief Administrative Officer Metheny is requesting the approval of the Revised EV SELPA Regional Program Policy. This revision addresses the opening and closing of regional programs in addition to the current transfer policy language.



East Valley Special Education Local Plan Area Regional Programs Policy and Procedures: Opening, Transferring & Closing Programs

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F. Program Closing Assurances

The following describes the "Regional Program Policy" in place in the East Valley SELPA (EV SELPA) to address specialized student program needs. The San Bernardino County Superintendent of Schools (SBCSS), the EV SELPA and its Local Education Agencies (LEA) can be regionalized service providers for other LEAs within the EV SELPA. Regional programs
are designed to meet the needs of students with specific disability conditions, functional levels, and age/grade ranges. Nothing in policy overrides an Individualized Education Program (IEP) team's right to make individual decisions regarding a student's placement in the least restrictive environment (LRE) or the provision of a free appropriate public education (FAPE).

Typically, a regional program provides services to students from more than one LEA. The Regional Program operator and a LEA requesting a program transfer must adhere to the procedures outlined in this policy. Any Regional Program proposal or proposed modification must be reported to the EV SELPA Steering Committee and presented to the EV SELPA Board of Directors for approval per the procedures outlined herein below. Regional Programs must be reviewed annually by March 15 by the EV SELPA Steering Committee.

The agency providing the Regional Program is required to develop a Memorandum of Understanding (MOU) with each LEA that is sending one or more students to the Regional Program. The MOU needs to specify responsibilities of each agency and the fee for service arrangements per the EV SELPA Regional Program Provider Responsibilities. The annual rates for programs need to be based on a "not-for-profit" philosophy such that the fees are designed to simply cover the costs for services. Preliminary notification of fee-for-services rates for the upcoming year must be provided by April 30 of the current fiscal year, with the final rates approved by the East Valley SELPA Board of Directors in the May or June meeting, annually.

Regional Programs

A Regional Program provides services to students who are residents of multiple LEAs. When the SBCSS, EV SELPA or an LEA is considering opening, closing, or transferring a regional program and/or pulling students from a regional program to open a district-only program, the LEA must communicate with and discuss implications with the LEAs that may be impacted by the proposed plan by following the procedures and timelines in this policy.

While the procedure outlined below emphasizes the importance of cooperation and collaboration, and while it is incumbent upon the district or county of service to execute its responsibility as if it were the district of residence, it is understood that in all cases where a child is placed out of his/her district of residence, even though due process may be filed against the District of Service (DOS) and/or the District of Residence (DOR), it is the ultimate responsibility of the DOR to ensure FAPE is provided.

Opening a Regional Program

Though EC Section 56207(b) is specific to program transfers, the education code section also serves as a basis for procedures and timelines for opening a regional program. Adhering to the procedures and timelines is expected. On a case-by-case basis, however, a program may be opened if all parties involved agree and the EV SELPA Board of Directors approves the opening of the program. The case shall be presented to the EV SELPA Board of Directors for approval. When timelines are met, all program opening cases shall go to the EV SELPA Board of Directors as an action item at the spring meeting, no later than March.

Program Opening Timelines

The following timelines, displayed as an example, shall be followed for all program opening requests:

Example: Notification date for program opening:	No later than June 30, 2023
Preparation year:	2023-2024
Implementation year:	2024-2025
(beginning with next school year calendar)	

Notification Year

Any LEA(s) considering the possibility of making a formal written notification of intent to open a program as a regional provider, must discuss this with the EV SELPA administrator the spring prior to making the notification. The following is required:

By June 30: A year and one day prior to implementation, the LEA(s) interested in opening a regional program shall notify in writing the EV SELPA, SBCSS or any other regionalized service provider of intent to open a regional program(s). Each initial request to open a regional shall be provided as an information item on the next EV SELPA Steering/Finance Committee meeting agenda.

Preparation Year

- By October 31: The LEA(s) proposing to open a regional program must conduct a needs survey and provide the results of the survey to the EV SELPA. As part of conducting the survey, the LEA(s) will complete an internal review of the survey results to determine the administrative oversight, job descriptions, facilities, location of program, materials, transportation and/or other necessary details. The survey results will be presented to the EV SELPA Steering Committee by the LEA(s) proposing to open a regional program at its November meeting.
- By January 1: LEAs affected by the program opening shall submit to the EV SELPA a notification of intent letter if they are interested in having the new provider serve their students. The notification to open a regional program and the intent letters to place students in the program shall be provided as an information item to the EV SELPA Board of Directors at the February meeting.
- By January 31: The LEA(s) proposing to open a regional program must provide to the EV SELPA a letter from the LEA(s) Superintendent indicating support of the program opening and indicating potential program costs, location, personnel, and fees. The letter will specifically detail the following:
- i. Identify the potential total fiscal cost to operate the new regional program,
- ii. Identify the location of the new regional program and any other facility issues,

- iii. Identify any personnel required for the new regional program, and,
- iv. Identify potential fees for students placed in the new regional program.

In addition, the LEA(s) proposing to open a regional program must complete and submit to the EV SELPA administration the required Program Opening Assurances & Detailed Plan for Opening a Program (Appendix A), Verification of the Involvement of Stakeholders in the Plan to Open a Regional Special Education Program (Appendix B).

The above letter and appendices shall be provided to the EV SELPA Steering/Finance Committee in February for their consideration to make a recommendation regarding opening the regional program at the EV SELPA Board of Directors' February meeting.

- March: The next scheduled EV SELPA Board of Directors agenda will include an action item to approve or disapprove the opening of the special education regional program with the intent to open the program July 1, unless the approval requires a different start date. The approval is dependent upon a simple majority vote of the members in attendance.
- April through June: If approved, the LEA(s) opening the regional program are responsible for and must engage in the procedures described in the EV SELPA Regional Program Provider Responsibilities and take all necessary steps to open the program.

Implementation Year

The new program operator will begin providing services effective the beginning of the next school year calendar. The current program operator provides services during extended school year (ESY) unless negotiated otherwise., as applicable.

Transfer of Regional Programs

A Regional Program provides services to students who are residents of multiple LEAs. When the SBCSS, EV SELPA or an LEA is considering transferring students from a regional program to open a district-only program, the LEA must communicate with and discuss implications with the LEAs that may be impacted by the proposed plan by following the Program Transfer timelines in this policy.

Transfer of Program via Discontinuing Referrals to Regional Programs

There is no established timeline that states if a certain number of students within a certain timeline are transferred from one program to another that the formal program transfer procedures must be followed. However, the intent of Ed Code 56207 is clear that the transfer of services and programs from an LEA that may impact the operation of a Regional Program must comply with the specified transfer program requirements. Therefore, a LEA who is considering discontinuing referrals to a Regional Program operated by the SBCSS, EV SELPA or another

LEA within the SELPA shall be held accountable to the same procedures and timelines for notification of program transfer.

Transfer of Group of Students

The IEP process should not be used to expressly bypass the formal program transfer process. No educational programs and services already in operation shall be transferred unless the SELPA has developed a transfer plan that meets the specified requirements (Education Code 56207). To transfer students, pursuant to the IEP process, from their current placement to a new class in a LEA outside of the formal program transfer process could be deemed as not in conformity with this provision of the Education Code.

The IEP process is designed to determine an appropriate individualized education program for each student. To convene an IEP meeting because a new class has been established in a LEA is not generally a basis for an IEP meeting. (See Education Code §56343) On the other hand, if over the course of time, based on an evaluation of their individualized needs and/or lack of progress in their current placement, students are transferred to a new program established by the LEA, the formal transfer process may not be triggered. However, this should not be intentionally utilized as a means to bypass a formal transfer process. Further, the decisions to transfer a student during an IEP meeting to the new class need to be based on the student's individualized needs and not external factors.

Program Transfer Timelines

Pursuant to EC Section 56207(b), a program transfer may take effect no earlier than the first day of the second fiscal year beginning after the date on which the sending or receiving agency has informed the other agency and the EV SELPA Board of Directors. On a case-by-case basis, the program transfer may take effect earlier (beginning of the next school year) if all parties involved in the transfer agree and the EV SELPA Board of Directors has approved the program transfer. If timelines are missed but all parties currently utilizing the existing program involved in the transfer agree, the case shall be presented to the EV SELPA Board of Directors for approval. When timelines are met, all program transfer cases shall go to the EV SELPA Board of Directors as an action item at the mid-year meeting, no later than December.

The following timelines, displayed as an example, shall be followed for all program transfer requests:

Example: Notification date for program transfer:	No later than March 31,
2024	
Preparation year:	2024-2025
Implementation year:	2025-2026
(beginning with next school year calendar)	

Notification Year

Any LEA(s) considering the possibility of making a formal written notification of intent to transfer programs or stop making referrals to a regional provider, must discuss this with the EV

SELPA administrator and the current provider in the winter prior to making the notification. The following is required:

March 31: Eighteen months prior to implementation, pursuant to Education Code Section 56205, the LEA(s) interested in considering transfer of one or more programs from one provider to another shall notify in writing to the EV SELPA, SBCSS or any other regionalized service provider of the intent to transfer program(s).

The written preliminary notification shall include whether or not the interested LEA plans to open a regional program. In that case, all procedures outlined in this policy to open a regional program must be followed. LEAs affected by the program transfer are also responsible for following these procedures. Each initial program transfer notification letter shall be provided as an information item on the next Steering/Finance Committee, and Board of Directors meetings.

Preparation Year

- By August 1: The LEA proposing the transfer must provide a student list of proposed students impacted by the transfer to the EV SELPA and SBCSS. The list shall include the following information for each student: name, date of birth, disability(ies), grade level, current IEP date, triennial IEP date, current attending school, current teacher, and all current special education services by type, frequency and duration.
- By September 7: EV SELPA, SBCSS or other regionalized service providers must prepare a report indicating any possible financial and programmatic impact. The current service provider will address the following in their report:
- v. Identify any adverse fiscal impact on the remaining operated program
- vi. Identify any adverse programmatic impact on the remaining operated program
- vii. Identify and evaluate any facility issues; and,
- viii. Identify any personnel issues.

The LEA proposing the transfer must complete and submit to the EV SELPA administration the required Assurances Page (Appendix C) and Detailed Plan for Program Transfer (Appendix D) with a copy provided to the current program service provider.

The above reports shall be provided as information items on the next EV SELPA Steering/Finance Committee, and Board of Directors meetings.

- <u>By October 31:</u> The LEA(s) requesting the program transfer must provide Verification of Involvement of Stakeholders in the Plan for Special Education Program Transfers (Appendix E) along with written notification to the EV SELPA Board of Directors and SBCSS or other service providers whether or not the LEA will be taking back program(s).
- > <u>November</u>: The next scheduled V SELPA Board of Directors agenda will include an

action item to approve or disapprove the special education program transfer request. The approval is dependent upon a simple majority vote of the members in attendance.

January through June: In any type of program transfer, the current program operator shall work cooperatively with each student's district of residence to current to complete administrative activities such as scheduling IEP meetings, transfer of files, coordination of related services, notification of parents, and other activities associated with the program transfer.

Note: It is the requirement of all SELPA transfer plans that the functional continuation of the current IEP's of all affected students be provided for (Ed. Code §56207(a)(3)). An IEP meeting is required to be convened when there is a request to develop, review or revise the individualized education program or a student (Ed. Code, §56343). A student's educational placement is defined as "that unique combination of facilities, personnel, location or equipment necessary to provide instructional services to an individual with exceptional needs, as specified in the IEP..." (Cal. Code Regs. tit. 5, §3042). If the alteration of a program operator truly has no impact on the facility, personnel, location, or equipment provided to the student, then the change in program operator would not require that an IEP meeting be convened for each affected student.

Implementation Year

The new program operator will begin providing services effective the beginning of the next school year calendar. The current program operator provides services during extended school year unless negotiated otherwise. In such cases, the existing MOU applies.

Education Code Requirements

Pursuant to Education Code Section 56207(a):

No educational programs and services already in operation in school districts or a county office of education pursuant to Part 30 (commencing with Section 56000) shall be transferred to another school district or a county office of education or from a county office of education to a school district unless the special education local plan area has developed a plan for the transfer which addresses, at a minimum, all of the following:

- (2) Pupil needs.
- (3) The availability of the full continuum of services to affected pupils.
- (4) The functional continuation of the current individualized education programs of all affected pupils.
- (5) The provision of services in the least restrictive environment from which affected pupils can benefit.
- (6) The maintenance of all appropriate support services.
- (7) The assurance that there will be compliance with all federal and state laws and regulations and special education local plan area policies.

(8) The means through which parents and staff were represented in the planning process.

To meet this requirement, each LEA pursuing a program transfer will be required to complete a "Detailed Plan for Special Education Program Transfers" (Appendix A) and to sign off on the "Program Transfer Assurances" (Appendix B) by September 7 of the year prior to initiating the new program services.

Personnel Considerations

Certificated Positions

The following apply:

Whenever any certificated employee, who is performing service for one employer, is terminated, reassigned, or transferred, or becomes an employee of another employer because of the reorganization of special education programs, the employee shall be entitled to the following:

- The employee shall retain the seniority date of his or her employment with the district or county office from which he or she was terminated, reassigned, or transferred.
- The reassignment, transfer, or new employment caused by the reorganization of special education programs shall not affect the seniority or classification of certificated employees already attained in any school district that undergoes the reorganization. These employees shall have the same status with respect to their seniority or classification, with the new employer, including time served as probationary employees. The total number of years served as a certificated employee with the former district or county office shall be credited, year for year, for placement on the salary schedule of the new district or county office.
- Subsequent to the reassignment or transfer of any certificated employee as a result of the reorganization of special education programs that employee shall have priority in being informed of and in filling certificated positions in special education in the areas in which the employee is certificated within the district or county office by which the certificated employee is then currently employed.
- A certificated employee who has served as a special education teacher in a district or county office and has been terminated from his or her employment by that district or county office shall have first priority in being informed of and in filling vacant certificated positions in special education, for which the employee is certificated and was employed, in any other county office or school district that provides the same type of special education programs and services for the pupils previously served by the terminated employee. For a period of 39 months for permanent employees and 24 months for probationary employees from the date or termination, the employee shall have the first priority right to reappointment as provided by this section, if the employee has not attained the age of 65 years before reappointment.

Classified Positions

The following apply:

If the reorganization of special education programs results in a classified employee who is performing services for one employer being terminated, reassigned, or transferred, or becoming the employee of another employer, the employee shall retain the seniority acquired at his or her employment with the school district or county office of education from which he or she was terminated, reassigned, or transferred.

The reassignment of an employee, transfer of an employee, or new employment of an employee caused by the reorganization of special education programs does not affect the seniority or classification that a classified employee already attained in any school district that undergoes the reorganization. The employee has the same status with respect to his or her seniority or classification, with the new employer, including time served as a probationary employee. The total number of years served as a classified employee with the former school district or county office shall be credited, year for year, for placement on the salary schedule of the new school district or county office.

A classified employee who is reassigned or transferred as a result of the reorganization of special education programs has priority in being informed of and in filling classified positions in the classifications in which the employee was employed before the reassignment or transfer. This priority expires 24 months after the date of reassignment or transfer and may be waived by the employee during that time period.

A classified employee who served in a special education program in a school district or county office and is terminated from his or her employment by that school district or county office as a result of the reorganization of a special education program has first priority in being informed of and in filling vacant classified positions for which the employee is qualified or was employed in the county office or school district that operates the reorganized special education program. Permanent employees have the first priority right to reappointment as provided in this section for 39 months from the date of termination. Probationary employees have the first priority right to reappointment as provided in this section for 24 months from the date of termination.

Resolving Disagreements Related to Program Transfers

If either the sending or receiving agency disagree with the proposed transfer, the distribution of funds, the responsibility for service provisions or other aspects of the transfer plan, the matter should be resolved by alternative resolution processes.

Closing a Regional Program

Though EC Section 56207(a) is specific to program transfers, the education code section also serves as a basis for procedures and timelines for closing a regional program. Adhering to the procedures and timelines is expected. On a case-by-case basis, however, a program may be closed if all parties involved agree and the EV SELPA Board of Directors approves the closing of the program. The case shall be presented to the EV SELPA Board of Directors for approval.

When timelines are met, all program closing cases shall go to the EV SELPA Board of Directors as an action item at the spring meeting, no later than May.

Program Closing Timelines

The following timelines, displayed as an example, shall be followed for all program transfer requests:

Example: Notification date for program transfer:	No later than June 30, 2023
Preparation year:	2023-2024
Implementation year:	2024-2025
(beginning with next school year calendar)	

Notification Year

Any LEA(s) considering the possibility of making a formal written notification of intent to close a program as a regional provider, must discuss this with the EV SELPA administrator the spring prior to making the notification. The following is required:

By June 30: A year and one day prior to implementation, the LEA(s) interested in closing a regional program shall notify in writing to the EV SELPA, SBCSS or any other regionalized service provider of intent to close a regional program(s) and the reason(s) why. The request to close a regional shall be provided as an information item on the next EV SELPA Steering/Finance Committee meeting agenda.

Preparation Year

- By October 31: The LEA(s) proposing to close a regional program must develop and provide a report identifying the number of students, the SSIDs of the students, all services each student receives, and the student's district of residence to the EV SELPA. The identifying student information must also be confidentially and securely provided to the district of residence for each student. The non-identifying student information will be presented to the EV SELPA Steering Committee at its November meeting. In addition, an information only item indicating the LEA(s) have notified the EV SELPA of the potential to close a regional program will be provided to the EV SELPA Board of Directors in the November meeting.
- <u>By January 31</u>: The LEA(s) proposing to close a regional program must complete and submit to the EV SELPA the required Program Closing Assurances (Appendix F). This will be provided to the EV SELPA Steering/Finance Committee in February for their consideration to make a recommendation regarding closing the regional program at the EV SELPA Board of Directors' February meeting.
- > March: The next scheduled EV SELPA Board of Directors agenda will include an

action item to approve or disapprove the closing of the special education regional program with the intent to close the program at the end of the current extended school year (ESY). The approval is dependent upon a simple majority vote of the members in attendance.

April through June: If approved, the LEA(s) closing the regional program are responsible for and must engage in the procedures described in the EV SELPA Regional Program Provider Responsibilities for notifying parents of the closure as well as scheduling and conducting all relevant IEP meetings ensuring the participation of representatives of the students' districts of residence.

Implementation Year

The regional program operator will cease providing services effective the beginning of the next school year calendar and will provide services during extended school year (ESY) of the year in which the program closing is approved by the EV SELPA Board of Directors, unless negotiated otherwise. In such cases, the existing MOU applies.

Reviewed by Steering Committee: March 9, 2017, September 14, 2017, October 12, 2017 Reviewed by Board of Directors: May 24, 2017, September 27, 2017 Approved by Board of Directors: November 15, 2017 Reviewed by Board of Directors: September 16, 2020 Approved by Board of Directors: November 18, 2020 Reviewed by Board of Directors: September 20, 2023 Reviewed by Board of Directors: November 15, 2023 Approved by Board of Directors: November 15, 2023 Appendix A

PROGRAM OPENING ASSURANCES

School District certifies that the agency herein The represented will comply with all applicable requirements of the East Valley SELPA Regional Program Policy and Procedures: Opening, Transferring and Closing Programs.

Below the required **Detailed Plan for Special Education Program Opening** that delineates how the LEA has or will fulfill these obligations.

Signature of Special Education Administrator

Signature of LEA Superintendent

Date

Date

DETAILED PLAN FOR OPENING A SPECIAL EDUCATION PROGRAM

LEA Name: Date of Submission:

This required Detailed Plan for opening a Special Education Program complies with Section 56207(a) and other procedural safeguards.

1. Section 56207(a)(1) and (3) – pupil needs and the continuation of the current individualized education program (IEP) for all affected students.

(a) **Direct Instruction:**

Sample Language:

The students will receive all services as required in their current Individualized Education Programs (IEPs) in the least restrictive environment. New IEPs will be held as needed.

(b) <u>Related Services and Equipment</u>

Sample Language:

The students will be provided all required appropriate supports, including related services, pursuant to their IEPs. All required related services will be provided by qualified support staff with the appropriate training and administrative support. The LEA plans to provide the following required related services: speech and language; counseling and guidance; adapted physical education; health and nursing services; and transition services. The LEA will provide other related services when the needs of students so dictate the need for additional supports.

The receiving LEA has built funds into the budget to purchase required equipment. Regarding student assigned equipment, the low incidence equipment will follow the student.

(c) <u>Facilities</u>

Sample Language:

Outlined below is a list of facilities by school available that will house the students involved in the program opening.

School Site	Facility	Comments

- 2. Section 56207(a)(2), (4) the availability of the full continuum of program services for all affected students and the provision of services in the least restrictive environment from which pupils can benefit.
 - (a) <u>Contingency plans for providing services other than those called for in the IEPs</u> Sample Language:

The opportunities for participation in general education classes and curriculum will be made accessible. There will be opportunities for mainstreaming. The LEA is committed to implementing collaborative and inclusive programs between general and special education.

3. Section 56207(a)(5) – the maintenance of all appropriate support services.

(a) Number (FTEs), Oualifications, and Experience of Support Staff

Sample Language:

All education codes related to employee rights will be followed in cooperation with the current service provider and the receiving LEA. Those positions not filled by existing staff will be filled by qualified LEA-employed staff. The LEA will make every effort in recruiting to fill these positions with qualified staff.

VERIFICATION OF INVOLVEMENT OF STAKEHOLDERS IN THE PLAN FOR OPENING A SPECIAL EDUCATION PROGRAM

LEA Name:______Date of Submission:_____

This required Detailed Plan for opening a Special Education Program complies with Section 56207(a) and other procedural safeguards.

Section 56207(a)(7) – the involvement and representation of parents of all affected students and staff in the planning process.

Involvement of Parents

Sample Language:

Meetings with parents involved in the program opening were held on the following dates at the identified locations.

DATE OF MEETING	LOCATON OF MEETING

Involvement of Staff

Sample Language:

Meetings were held on the following dates and for the identified personnel positions

DATE OF MEETING	PARTICIPANTS

Appendix C

PROGRAM TRANSFER ASSURANCES

The______School District certifies that the agency herein represented will comply with all applicable requirements of federal and state laws and <u>regulations and special education local plan area policies, including compliance with the</u> Individual with Disabilities Education Act, Section 504 of Public Law, and the provisions of the California Education Code, Part 30, specifically:

- Section 56207(a) develop a detailed program transfer plan
- Section 56207(a)(1) and (3) pupil needs and the continuation of the current IEP for all affected students
- Section 56207(a)(2) and (4) availability of the full continuum of program placements and services in the least restrictive environment for all affected students
- Section 56207(a)(5) maintenance of all appropriate support services to include qualified support staff and administrative support
- Section 56207(a)(7) involvement and representation of parents of all affected students and staff (e.g. special and non-special education teachers, itinerant specialist, administrators, and classified) in the planning process
- Section 44903.7 certificated employee rights
- ➤ Section 45120.2 classified employee rights
- Section 56207(c) & Section 56205(b)(5) resolving disagreements related to program transfers

Attached is the required **Detailed Plan for Special Education Program Transfers** that delineates how the LEA has or will fulfill these obligations.

Signature of Special Education Administrator

Signature of LEA Superintendent

Date

Date

DETAILED PLAN FOR SPECIAL EDUCATION PROGRAM TRANSFERS

LEA Name:______Date of Submission:_____

This required Detailed Plan for Special Education Program Transfers complies with Section 56207(a) and other procedural safeguards.

4. Section 56207(a)(1) and (3) – pupil needs and the continuation of the current individualized education program (IEP) for all affected students.

(a) **Direct Instruction:**

Sample Language:

The students will continue to receive all services as required in their current Individualized Education Programs (IEPs) in the least restrictive environment. New IEPs will be held if needed.

(b) Related Services and Equipment

Sample Language:

The students will continue to be provided all required appropriate supports, including related services, pursuant to their IEPs. All required related services will be provided by qualified support staff with the appropriate training and administrative support. The LEA plans to provide the following required related services: speech and language; counseling and guidance; adapted physical education; health and nursing services; and transition services. The LEA will provide other related services when the needs of students so dictate the need for additional supports.

The current regionalized service provider will conduct an inventory of current equipment to determine which equipment will stay with the transferring students. The receiving LEA has built funds into the budget to purchase required equipment. Regarding equipment, the low incidence equipment will follow the student.

(c) Facilities

Sample Language:

Outlined below is a list of facilities by school available to house the students involved in the program transfer.

School Site	Available Facility	Comments

5. Section 56207(a)(2), (4) – the availability of the full continuum of program services for all affected students and the provision of services in the least restrictive environment from which pupils can benefit.

(a) <u>Contingency plans for providing services other than those called for in the IEPs</u> Sample Language:

The opportunities for participation in general education classes and curriculum will be enhanced and more accessible. There will be more opportunities for mainstreaming as the local schools will have ownership of these programs. The LEA is committed to implementing collaborative programs between general and special education (e.g. Learning Center, Individual and Small Group Instruction, etc.)

6. Section 56207(a)(5) – the maintenance of all appropriate support services.

(a) Number (FTEs), Oualifications, and Experience of Support Staff

Sample Language:

All education codes related to employee rights will be followed in cooperation with the current service provider and the receiving LEA. Those positions not filled by existing staff will be filled by qualified LEA-employed staff. The LEA will make every effort in recruiting to fill these positions with qualified staff.

VERIFICATION OF INVOLVEMENT OF STAKEHOLDERS IN THE PLAN FOR SPECIAL EDUCATION PROGRAM TRANSFERS

LEA Name:_____Date of Submission:_____

This required Detailed Plan for Special Education Program Transfers complies with Section 56207(a) and other procedural safeguards.

Section 56207(a)(7) – the involvement and representation of parents of all affected students and staff in the planning process.

Involvement of Parents

Sample Language:

Meetings with parents involved in the program transfer were held on the following dates at the identified locations.

DATE OF MEETING	LOCATON OF MEETING

Involvement of Staff

Sample Language:

Meetings were held on the following dates and for the identified personnel positions

DATE OF MEETING	PARTICIPANTS

Appendix F

PROGRAM CLOSING ASSURANCES

The_____School District certifies that the agency herein represented will comply with all applicable requirements of the East Valley SELPA Regional Program Policy and Procedures: Opening, Transferring and Closing Programs.

These requirements are:

- Provide a report with the identified number of students, the SSIDs of the students, all services each student receives, and the student's district of residence to the EV SELPA by October 31.
- Provide identified student information to the students' districts of attendance by October 31.
- ➢ Notify the parents of the closure by January 31.
- Schedule and facilitate change of placement IEPs with district of residence staff in attendance by May 31.

Signature of Special Education Administrator

Signature of LEA Superintendent

Date

Date

ACTION ITEM

Identify EV SELPA Board of Directors FY 2024-2025 Budget Ad Hoc Committee Members

Two volunteers are requested to meet with Chief Administrative Officer Metheny and Consultant Andrea Tennyson to review the proposed 2024-2025 East Valley SELPA budget. The ad hoc committee will make their recommendations regarding the budget at the May 22, 2024, Board of Directors Meeting.

OTHER

Next Meeting – March 20, 2024

2023/2024 East Valley SELPA BOARD OF DIRECTORS MEETING SCHEDULE

September 20, 2023

November 15, 2023

February 21, 2024

March 20, 2024

May 22, 2024

June 12, 2024

All meetings will be held at 2:00 p.m. at the Dorothy Ingrham Learning Center Conference Room E 670 E. Carnegie Drive, San Bernardino CA 92408 home of the EAST VALLEY SELPA (Unless meetings must be held virtually)

