

**East Valley SELPA**

**Board of Directors  
Meeting Agenda**



**November 15, 2023**

**EAST VALLEY SPECIAL EDUCATION LOCAL PLAN AREA**  
**BOARD OF DIRECTORS**

**AGENDA**

Wednesday, November 15, 2023  
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.

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|--|---|
| <b><u>1. Open Session – Call to Order</u></b>          | <b><u>OPEN SESSION</u></b>                |
| <b><u>2. Roll Call and Establishment of Quorum</u></b> | <b><u>ESTABLISHMENT<br/>OF QUORUM</u></b> |
| <b><u>3. Approval of Agenda</u></b>                    | <b><u>APPROVAL OF<br/>AGENDA</u></b>      |
| <b><u>4. Community Comments</u></b>                    | <b><u>COMMUNITY<br/>COMMENTS</u></b>      |
| <b><u>5. Approval of Minutes</u></b>                   | <b><u>APPROVAL OF<br/>MINUTES</u></b>     |
| <b><u>6. Discussion Items</u></b>                      | <b><u>DISCUSSION<br/>ITEMS</u></b>        |
- 
- a. EV SELPA Parent Resource Fair Review – November 3, 2023
  - b. Second Read: Revised EV SELPA Regional Program Policy
  - c. EV SELPA NonPublic School 1<sup>st</sup> Quarter 2023-24 Report

7. **Action Item**

**ACTION  
ITEMS**

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

8. **Other**

**OTHER**

- a. Next Meeting – February 21, 2024
- b. 2023-2024 EV SELPA Board Meeting Schedule

9. **Adjournment**

**ADJOURNMENT**

# APPROVAL OF MINUTES

East Valley SELPA Board of Directors Meeting September 20, 2023  
and Special Board of Directors Meeting October 25, 2023

Chief Administrative Officer Metheny is requesting approval from the Board of the East Valley SELPA for the minutes of the September 20, 2023 Board of Directors Meeting and the Special Board of Directors Meeting of October 25, 2023.

**EAST VALLEY SELPA BOARD OF DIRECTORS  
MEETING MINUTES  
September 20, 2023**

**BOARD MEMBERS PRESENT:**

Frank Miranda, Ed.D.  
Cuauhtémoc Avila, Ed.D.  
Juan Cabral  
Myrlene Pierre  
Cali Binks

Colton Joint Unified  
Rialto Unified  
Redlands Unified  
SBCSS Student Services Division  
Yucaipa-Calimesa Joint Unified

**ADMINISTRATION PRESENT:**

Patty Metheny, Ed.D.  
Jennifer Brooksby  
Rick Homutoff, Ed.D.

East Valley SELPA  
East Valley SELPA  
East Valley SELPA

**BOARD MEMBERS ABSENT:**

Ted Alejandre, Chairperson  
Kimberly Fricker, Ph.D.

San Bernardino County Supt Schools  
Rim of the World Unified

**OTHERS:**

Ken Wagner  
Jaime Anderson

Redlands Unified  
Yucaipa-Calimesa Joint Unified

**1.0 CALL TO ORDER**

Alternate Chairperson Avila called the meeting to order at 2:04 p.m. at the Dorothy Inghram Learning Center located at 670 E. Carnegie Drive, San Bernardino.

**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 Pierre. The motion carried unanimously.

#### **4.0 COMMUNITY COMMENTS**

There were no public comments.

#### **5.0 APPROVAL OF MINUTES**

A motion to approve the May 24, 2023, Board Meeting Minutes was made by Member Cabral and seconded by Member Pierre. The motion carried unanimously.

#### **6.0 DISCUSSION ITEMS**

##### **a. First Read: Revised EV SELPA Regional Program Policy**

Chief Administrative Officer (CAO) Metheny presented, for its first read, the revised EV SELPA Regional Program Policy. CAO Metheny explained while the current policy addresses the necessary steps for program transfers, it does not address the steps needed to open or close a regional program. Information regarding the current SBCSS and East Valley SELPA operated regional programs was shared. This revised policy will be presented for a second read during the November 2023 Board of Directors Meeting.

##### **b. 2024-2025 Regional Program Transfer Request**

Chief administrative Officer Metheny shared Redlands USD requested the transfer of occupational therapy (OT) services for Redlands students from being provided by the SELPA to being provided by the district via a letter received by the SELPA on September 14, 2023. The request was for the 2024-2025 school year and consequently did not meet the Board of Directors Policy for transfer requests to be made by March 31, 2023 to allow for a full preparation year (i.e., July through June).

Member Cabral indicated he did not have the opportunity to make the request compliant with the deadline as he did not become the superintendent in Redlands USD until July 2023 and is requesting a waiver of the transfer timelines to allow the transfer to take place effect July 2024 rather than July 2025.

Members Binks and Miranda expressed concerns regarding how the transfer would affect staffing challenges, level of service, and fiscal impact on other member districts and asked for more information. CAO Metheny shared Redlands USD currently receives approximately 45-50 % of the OT services provided by EV SELPA and further explained how this regional program is funded via a proportionate share model. With this model, a budget is established that reflects the total employee costs and each district pays a percentage of the total costs based on the percentage of students they have in the program. She acknowledged employee costs have risen significantly over the past few years as has the number of students referred for OT assessment and services.

Member Cabral added that the intention of Redlands USD is to hire, to the extent possible within the law, EV SELPA staff already providing services to Redlands students to ensure a smooth continuum of service.

Alternate Chair Avila recommended the Board be provided with all pertinent information in order to make an informed decision. CAO Metheny offered a special Board of Directors meeting in October for this purpose. October 20, 2023 at 2 pm was agreed upon for the special Meeting.

**c. Ed Code 51225.31 - Alternate Pathway to a High School Diploma**

Chief Administrative Officer reviewed the alternate pathway to obtain a high school diploma. In January 2023, this option was incorporated into California Education Code, and on August 25, 2023 the California Department of Education Special Education Division (CDE) provided the first guidance notification regarding it to the field. She shared the five elements of this pathway and answered questions related to it for the Board.

**d. EV SELPA Inclusive Practices Update**

Educational consultant Katie Novak joined the East Valley SELPA Board of Directors virtually and highlighted the comprehensive work CAO Metheny accomplished in partnership with Ventura SELPA to strengthen inclusive practices in the SELPA's member districts. Drs. Novak and Shelley Moore will continue this year with a virtual professional development series and culminating event at the East Valley SELPA on May 7, 2024 followed by classroom observations and feedback on May 8, 2024. Dr. Novak shared based on the observations they made in May 2023 that educators in the region are embracing changing to a more inclusive culture but continue to need to implement the tools to do so. These include using universally designed learning (UDL) experiences and teaching scaffolded grade level content standards. Program Manager Brooksby highlighted resources available to East Valley SELPA member districts regarding inclusive practices focusing on those that can address the needs Drs. Novak and Moore found.

**e. EV SELPA Due Process Legal & Cost Report 2022-2023**

Dr. Rick Homutoff provided an overview of due process activities within the SELPA during the 2022-2023 fiscal year. He shared there was a slight increase in the number of filings from the previous two years with 29 filed in 2022-2023. Dr. Homutoff noted the data indicated that of the 29 cases filed, six were from families who had previously filed and that two families filed for due process twice. In addition, he shared it is taking longer to settle cases. In 2022-2023 it took an average of seventy-two days to settle compared to sixty-one in 2021-2022. Dr. Homutoff reported requests for independent educational evaluations (IEEs) increased as did the cost of parent attorneys. Member Avila inquired regarding the tracking of statistical trends. Dr. Homutoff shared his methodology for tracking due process trends in the East Valley Region.

**f. EV SELPA OT Proportionate Share Program Funds Returned to Districts 2022-2023**

Chief Administrative Officer Metheny shared the OT Proportionate Share Program Return of Funds. CAO Metheny explained this regional program is funded off-the-top and any unused funds are returned in a proportionate matter to

the districts once all expenses have been calculated at year end.

**g. SBCSS Fee-for-Service Funds Returned to Districts 2022-2023**

Chief Administrative Officer Metheny presented the SBCSS Fee-for-Service return of funds. CAO Metheny explained the return of these monies is based on the number of students served in County operated programs.

**h. EV SELPA NonPublic School Cost Report 2022-2023**

Chief Administrative Officer Metheny shared the NonPublic School (NPS) Report for FY 2022-23. CAO Metheny remarked there was a decrease in NPS costs when compared to FY 2021-22. This decrease appeared to be a reflection of the efforts district personnel have made returning students to district and more inclusive programs.

**i. EV SELPA Community Advisory Committee (CAC) Membership**

Chief Administrative Officer Metheny shared about the role of the CAC and spoke of the need for local district Board approved members for the EV SELPA CAC.

**j. EV SELPA Professional Development Catalog 2023-2024**

Chief Administrative Officer Metheny presented the professional development opportunities for the school year 2023-2024. She highlighted that many of the training courses are also available as in-district trainings to minimize the need for substitutes and time away from the classroom.

**k. EV SELPA Parent Resource Fair – November 3, 2023**

Chief Administrative Officer Metheny shared that the East Valley SELPA will host, on behalf of its member districts, the first annual Parent Resource Fair at the Dorothy Inghram Learning Center on November 3, 2023. This parent resource fair will have guest speakers, community resources, music, and food. The East Valley SELPA has partnered with KVCR to advertise this event.

## **7.0 ACTION ITEMS**

**a. Approve 2023-2024 SANDABS Membership**

Chief Administrative Officer Metheny presented for approval the 2023-2024 San Bernardino County District Advocates for Better Schools (SANDABS) Membership. This membership affiliation is proposed by the SBCSS Intergovernmental Relations Office. Motion to approve the 2023-2024 SANDABS Membership was made by Member Miranda and seconded by Member Pierre. The motion carried unanimously.

**b. Approve 2023-2024 EV SELPA Interagency Agreements**

Chief Administrative Officer Metheny presented for approval the 2023-2024 interagency agreements with California Children's Services and the Inland Regional Center. These agreements are also California Education Code requirements. Motion to approve the 2023-2024 interagency agreements was made by Member Cabral and seconded by Member Miranda. The motion carried unanimously.



**8.0 OTHER:** Chief Administrative Officer Metheny confirmed a special EV SELPA Board of Directors meeting to address the request from Redlands USD to transfer occupational therapy services currently provided by the EV SELPA via the proportionate share regional program will be on October 25, 2023 at 2:00 pm.

**9.0 ADJOURNMENT:** Motion to adjourn was made by Member Miranda and seconded by Member Pierre. The regular meeting was adjourned at 3:47 p.m.

Submitted by:  
Rosalva Contreras  
EV SELPA Administrative Assistant

**EAST VALLEY SELPA BOARD OF DIRECTORS  
SPECIAL MEETING MINUTES  
October 25, 2023**

**BOARD MEMBERS PRESENT:**

Myrlene Pierre	SBCSS Student Services Division
Frank Miranda, Ed.D.	Colton Joint Unified
Juan Cabral	Redlands Unified
Cuauhtémoc Avila, Ed.D.	Rialto Unified
Cali Binks	Yucaipa-Calimesa Joint Unified

**ADMINISTRATION PRESENT:**

Patty Metheny, Ed.D.	East Valley SELPA
Rick Homutoff, Ed.D.	East Valley SELPA
Jennifer Brooksby	East Valley SELPA
Patti Buchmiller	Redlands Unified

**BOARD MEMBERS ABSENT:**

Ted Alejandre, Chairperson	San Bernardino County Supt. Of Schools
Kimberly Fricker, Ph.D.	Rim of the World Unified

**ALTERNATE PRESENT:**

Shannon Hansen	Rim of the World Unified
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**1.0 CALL TO ORDER**

Chairperson Avila called the special meeting to order at 2:01 p.m. in the Dorothy Inghram Learning Center, home of the East Valley SELPA, Conference Room C located 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 Pierre and seconded by Member Cabral. The motion carried unanimously.

#### **4.0 PUBLIC COMMENTS**

There were no public comments.

#### **5.0 DISCUSSION ITEMS**

##### **a. 2024-2025 Regional Program Transfer Request**

Chief Administrative Officer (CAO) Metheny reviewed the September 14, 2023 request made by Redlands USD to transfer the current EV SELPA operated Occupational Therapy (OT) program to Redlands USD. The request was made after the deadline of March 31, 2023 and is for the 2024-2025 school year. The EV SELPA Board requested more information before making two decisions at the regularly scheduled November 15, 2023 meeting. The first decision is whether or not to grant Redlands USD permission to request the transfer outside of the timeline set in policy. If granted, the second decision will be whether or not to grant the transfer request.

Information as required by the EV SELPA Regional Program Transfer Policy and Procedures was presented by EV SELPA CAO Metheny and Redlands USD Special Services Executive Director Patti Buchmiller. To address the potential impact of the transfer request on the remaining operated program, CAO Metheny shared the 2023-2024 EV SELPA Regional Occupational Therapy budget and two simulations for 2024-2025: Model 1 Proportionate Share Costs Without Redlands and Model 2 Proportional Share Costs with Redlands. The cost differences were highlight. CAO Metheny presented additional information to address the Board's request regarding trends in the number of students receiving OT services. Data she presented demonstrated, by district and SELPA-wide, a continued increase in the number of students receiving OT services as well as a significant increase in the number of OT assessments conducted with on average of only 56% of the students assessed qualifying for OT services. CAO Metheny explained the increased assessment requests occurred during and following the COVID pandemic and the SELPA addressed those via the use of MediCal funds so as not to impact the Proportionate Share Regional Program costs to districts. Alternate Member Hansen asked if the student counts included non-public school (NPS) students. CAO Metheny replied they did if the EV SELPA was providing the OT services, they did not if the NPS was providing the OT service. She commented, though, that district California School for the Deaf students receiving OT services were included.

To address any adverse programmatic impact on the remaining operated program as well as any facility issues, CAO Metheny shared there could be a decrease in OT staff as soon as 2023-2024 due to resignations over concerns with the potential transfer. This could present challenges in assessing and serving current students. There could also be an increase in the number of IEP addendum meetings in the spring of 2024 representing an increased workload for the OT staff. In regard to facilities and potential programmatic impacts in 2024-2025, the EV SELPA Motor Room is located in a former SBCSS classroom at Kimberly Elementary School in the Redlands USD. The SELPA and Redlands USD are proposing a Memorandum of Understanding (MOU) be developed to permit EV SELPA to staff and operate that Motor Room to serve students SELPA-wide. This room has been in use for approximately 20 years and houses large pieces of

equipment owned by the EV SELPA. If this is the case, programmatic impact could be the employee time necessary to coordinate and facilitate these services with district staff in 2024-2025.

To address any personnel issues, CAO Metheny presented the current EV SELPA staffing model and staff assigned to the OT Proportionate Share Regional Program. Based on the projected student data for 2024-2025, the SELPA would retain five occupational therapists (OTs), three certified occupational therapy assistants (COTAs) and clerical staff assigned for a reduced time to support the program. Consequently, approval of the transfer request would result in three fewer OTs employed via SBCSS and two contracted COTAs, as well as the OT contracted for 24 hours per week to conduct assessments. California Education Code regulations would apply to the three SBCSS OT employees potentially impacted. Member Binks asked for further explanation. CAO Metheny shared the OTs are employees of SBCSS and not the EV SELPA. As such, all OTs employed by SBCSS would be within the pool of employees considered due to the applicable reduction in force (RIF) requirements. Member Cabral stated it is Redlands' desire to hire, within the required regulations, the current EV SELPA OTs serving students to minimize distribution for the students.

Redlands USD Special Services Executive Director Patti Buchmiller presented the Redlands USD Assurances and a Detailed Plan for the Program Transfer. Redlands USD would continue to provide students with all services as required by their IEPs. Redlands will work with EV SELPA to inventory equipment currently utilized by Redlands students and has budgeted for the purchase of equipment needed by students; low incidence equipment will follow the students. Portable P-19 at Clement Middle School will serve as the home base location for the OTs and COTAs while they are not at school sites.

Ms. Buchmiller spoke on the Contingency Plans for Providing Services Other Than Those Called for in the IEPs, stating that this is at the heart of their 'why.' Redlands has many students with sensory and behavioral needs. She stated having their own OT team would allow them to be proactive, rather than reactive, in addressing those needs.

Ms. Buchmiller provided Verification of Involvement of Stakeholders in the Plan for Special Education Program Transfers. Zoom meetings were held on two separate occasions for parent and community involvement at which there was an overwhelming support of the transfer. Staff meetings were held, and employees were also overwhelmingly in support of the transfer.

Discussion among the Board members took place after the presentations. Member Miranda expressed concern about the timeline to hire staff if the transfer was approved and the impact to students in the remaining program as well as costs. CAO Metheny indicated the three remaining districts are on the 'outer rim' of the SELPA. With this in mind, the potential for increased travel time resulting in time away from student services and increased mileage expenses could be a reality. Member Binks asked CAO Metheny to revisit and explain the timeline as currently outlined in the Board policy. CAO Metheny explained California Education Code requires one year and a day for notification, but the EV SELPA Policy extended that to one year and three months. Member Binks recalled the Board did this intentionally and asked CAO Metheny to

review what happened at the time. CAO Metheny shared about a transfer request that was denied a few years ago. At that time, the Policy in place was not adhered to. The district that was denied the transfer request asked the SELPA to engage in alternative dispute resolution activities to address how this could be handled differently in the future. The Board approved a contract with an outside mediator, a retired superintendent who had served in a multi-district SELPA, who facilitated the activities which resulted in a change to the Transfer Policy language and an extension of the timeline notice to one year, three months. Through these activities, it was determined that a district requesting a transfer needed additional planning time.

Member Cabral expressed that with the plan they are providing, he does not see there being an issue with the timeline requirements for 2024-2025 and that additional planning time is not necessary. He believes everything can be put in place to meet student and staff needs. He acknowledged that it is a significant request and consideration to go out of timeline, and that they are asking because the need is now. Redlands is committed to making sure there is no loss of services.

Member Miranda confirmed the decisions that would be made at the next board meeting; the first for the board to wave the timeline and the second for the board to allow Redlands to take over OT services. CAO Metheny confirmed this is the case, today's meeting was devoted to providing information and answering questions and the November 15<sup>th</sup> meeting would be for decision making.

Member Pierre spoke on unintended consequences with personnel and her concerns about the potential adverse impact on the OT's morale. Member Binks requested further explanation in terms of Redlands staffing plans. Member Cabral explained that OTs would need to apply with Redlands. He stated the salaries offered would be comparable and in fact, some may find them more attractive. Ideally, he stated Redlands USD would hire the three OTs that are currently at the EV SELPA now. Member Cabral concluded expressing his appreciation for everyone's time and their willingness to hear Redlands transfer proposal.

**6.0 OTHER:** The next Board of Directors Meeting will be November 15, 2023.

**7.0 ADJOURNMENT:** Motion to adjourn the special meeting was made by Member Pierre and seconded by Member Hansen. The special meeting was adjourned at 2:47 p.m.

Submitted by:  
Elizabeth Coronel  
EVSELPA Finance Specialist

# DISCUSSION ITEM

## EV SELPA Parent Resource Fair – November 3, 2023

Chief Administrative Office Metheny will provide an overview of the successful EV SELPA Parent Resource Fair held November 3, 2023.

# DISCUSSION ITEM

## Second Read: Revised EV SELPA Regional Program Policy

Chief Administrative Office Metheny will present, for its second read, 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.



## Current EV SELPA Regional Programs

SBCSS	EV SELPA
Specialized Academic Instruction Classroom	Occupational Therapy Itinerant Services
Visual Impairment Itinerant Services	Physical Therapy Itinerant Services
Orientation & Mobility Itinerant Services	Low Incidence Assessment Services
Deaf, Hard or Hearing Itinerant Services	
Intensive Therapeutic Counseling Services	

## Current EV SELPA Regional Programs

### Policy Language – Transfer, only

When one district wants to move a SBCSS or EV SELPA program back to its district
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## Need Language EV SELPA Regional Program Policy Language for Opening and Closing Regional Programs

When one or multiple districts want to open or close a regional program
Potential Options
SBCSS Wants to Open a Visual Impairment or Deaf, Hard of Hearing Classroom Regional Program
SBCSS Wants to Close a Visual Impairment or Deaf, Hard of Hearing Classroom Regional Program
SBCSS Wants to Open an Occupational Therapy Itinerant Program
Colton Wants to Open a Visual Impairment Itinerant Regional Program
Redlands Wants to Open a Specialized Academic Instruction Behavior Classroom Program





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

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**Table of  
Contents**

Opening of Regional Programs .....	2
Notification Year.....	3
Preparation Year .....	3
Implementation Year.....	4
Transfer of Regional Programs .....	4
Transfer of Program via Discontinuing Referrals to Regionalized Programs.....	4
Transfer of Group Students .....	5
Personnel Considerations .....	8
Certificated Positions .....	8
Classified Positions .....	9
Resolving Disagreements Related to Program Transfers.....	10
Program Closing Timelines.....	10
Notification Year.....	10
Preparation Year.....	11
Implementation Year.....	11
Appendices	
A. Program Opening Assurance Page	12
B. Verification of Involvement of Stakeholders in the Plan for Opening a Special Education Program	14
C. Program Transfer Assurances	15
D. Detail Plan for Special Education Program Transfer	16
E. Verification of Involvement of Stakeholders in the Plan for Special Education Program Transfer	18
F. Program Closing Assurances	19

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**Philosophy**

Effective June 1, 2018, the “Regional Program” concept will be in place. 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 ~~by the program operator~~ 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 determined after the May/June update 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: (beginning with next school year calendar)	2024-2025

### 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 ~~opening a regional program and/or pulling~~ 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~~ ~~Two years~~ prior to implementation (~~basically one year and a day~~), 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 ~~be a regionalized service provider~~ 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 ~~submitting a notification of intent letter if they are interested in having the new provider serve their students~~ 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 ~~an~~ information items on the next EV SELPA Steering/Finance Committee, and Board of Directors meetings.

- By October 31: 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).
- November or December: 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 new current program operator shall work cooperatively with the current operator 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.

- ~~➤ June: The new program operator is responsible for developing a MOU with any other LEA that also provided program transfer notification who plans to access the new program.~~
- ~~➤ June: A LEA utilizing a program outside of the EV SELPA shall complete an Intra-SELPA Transfer form for each student attending such 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 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 of 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: (beginning with next school year calendar)	2024-2025

### **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.
- By January 31: 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*

Appendix A

## PROGRAM OPENING 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.

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) Related Services and Equipment**

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) Facilities**

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) Contingency plans for providing services other than those called for in the IEPs**

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), Qualifications, 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.

Appendix B

## 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

## PROGRAM TRANSFER ASSURANCES

The \_\_\_\_\_ School District certifies that the agency herein represented will comply with all applicable requirements of federal and state laws and regulations and special education local plan area policies, including compliance with the 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) Contingency plans for providing services other than those called for in the IEPs**

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), Qualifications, 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

## **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

# DISCUSSION ITEM

## EV SELPA NonPublic School 1<sup>st</sup> 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 1<sup>st</sup> Quarter 2023-2024 NonPublic School Report.



**EAST VALLEY  
SELPA**

*Educating Together*

**NonPublic School Report  
First Quarter 2023-2024**

East Valley SELPA Board of Directors  
November 15, 2023

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.

**2023-2024**

<b>Non-Public Schools</b>							
<b>Name of Facility</b>	<b>Location</b>	<b>Number of EV SELPA Students</b>					
		<b>Colton</b>	<b>Redlands</b>	<b>Rialto</b>	<b>Rim</b>	<b>YCUJUSD</b>	<b>Total</b>
Altus Academy	Rialto, CA	2				1	3
Beacon Day	La Palma, CA	1	1				2
Canyon View	San Dimas, CA						0
Joan Macy	La Verne, CA			4			4
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	2*	1		1	3	7
Spectrum	Chino Hills, CA			3			3
Stone Ridge Academy	Upland, CA	5	1	1	1		8
<b>TOTAL</b>		<b>15</b>	<b>7</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>40</b>

<b>Residential Treatment Centers</b>							
<b>Name of Facility</b>	<b>Location</b>	<b>Number of EV SELPA Students</b>					
		<b>Colton</b>	<b>Redlands</b>	<b>Rialto</b>	<b>Rim</b>	<b>YCUJUSD</b>	<b>Total</b>
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	2
Sorenson's Ranch	Koosharem, Utah					1	1
Turning Winds	Troy, MT				1		1
<b>TOTAL</b>		<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>9</b>

\*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	Behavior 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
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	in process

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 of District Annual Monitoring Observations Completed this Quarter for NPS Placed Students									
Colton		Redlands		Rialto		Rim		YCUUSD	
Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled
0	15	0	7	0	10	0	4	0	4

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

Number of EV SELPA Monitoring Observations/Visits Completed this Quarter for Residentially Placed Students*									
Colton		Redlands		Rialto		Rim		YCJUSD	
Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled	Completed	Enrolled
0	3	0	0	1	1	1	1	1	4

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

\*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	2.8.21
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 1st Quarter NPS Cost Totals**

<b>Colton</b>	<b>2022-2023</b>	<b>2023-2024</b>				
NPS (Students reside w/parents)	15	14				
NPS (Students in residential setting)	2	2				
	<b>Prior Yr Q1 Total***</b>	<b>FY 22-23 (Paid in 23-24)</b>	<b>ESY</b>	<b>Aug</b>	<b>Sept</b>	<b>Q1 Total</b>
NPS Education*	\$ 195,667.42	\$ 250.15	\$ 66,921.54	\$ 40,854.24	\$ 75,969.68	\$ 183,995.61
NPS Mental Health**	\$ 88,297.98	\$ -	\$ 34,384.78	\$ 34,225.62	\$ 39,428.17	\$ 108,038.57
<b>District Total</b>	<b>\$ 283,965.40</b>	<b>\$ 250.15</b>	<b>\$ 101,306.32</b>	<b>\$ 75,079.86</b>	<b>\$ 115,397.85</b>	<b>\$ 292,034.18</b>
<b>Redlands</b>	<b>2022-2023</b>	<b>2023-2024</b>				
NPS (Students reside w/parents)	16	7				
NPS (Students in residential setting)	1	0				
	<b>Prior Yr Q1 Total***</b>	<b>FY 22-23 (Paid in 23-24)</b>	<b>ESY</b>	<b>Aug</b>	<b>Sept</b>	<b>Q1 Total</b>
NPS Education*	\$ 207,932.24		\$ 27,712.51	\$ 23,899.55	\$ 30,717.74	\$ 82,329.80
NPS Mental Health**	\$ 80,988.70			\$ 259.52	\$ 590.02	\$ 849.54
<b>District Total</b>	<b>\$ 288,920.94</b>	<b>\$ -</b>	<b>\$ 27,712.51</b>	<b>\$ 24,159.07</b>	<b>\$ 31,307.76</b>	<b>\$ 83,179.34</b>
<b>Rialto</b>	<b>2022-2023</b>	<b>2023-2024</b>				
NPS (Students reside w/parents)	14	10				
NPS (Students in residential setting)	1	1				
	<b>Prior Yr Q1 Total***</b>	<b>FY 22-23 (Paid in 23-24)</b>	<b>ESY</b>	<b>Aug</b>	<b>Sept</b>	<b>Q1 Total</b>
NPS Education*	\$ 158,799.84	\$ 67.16	\$ 18,765.12	\$ 32,760.17	\$ 40,114.61	\$ 91,707.06
NPS Mental Health**	\$ 14,221.18		\$ 20,019.34	\$ 20,166.39	\$ 22,669.47	\$ 62,855.20
<b>District Total</b>	<b>\$ 173,021.02</b>	<b>\$ 67.16</b>	<b>\$ 38,784.46</b>	<b>\$ 52,926.56</b>	<b>\$ 62,784.08</b>	<b>\$ 154,562.26</b>
<b>Rim</b>	<b>2022-2023</b>	<b>2023-2024</b>				
NPS (Students reside w/parents)	5	4				
NPS (Students in residential setting)	2	1				
	<b>Prior Yr Q1 Total***</b>	<b>FY 22-23 (Paid in 23-24)</b>	<b>ESY</b>	<b>Aug</b>	<b>Sept</b>	<b>Q1 Total</b>
NPS Education*	\$ 60,130.21	\$ 4,210.00	\$ 3,780.00	\$ 6,514.55	\$ 8,323.82	\$ 22,828.37
NPS Mental Health**	\$ 64,031.20	\$ 323.90	\$ 13,020.00	\$ 15,227.82	\$ 12,876.54	\$ 41,448.26
<b>District Total</b>	<b>\$ 124,161.41</b>	<b>\$ 4,533.90</b>	<b>\$ 16,800.00</b>	<b>\$ 21,742.37</b>	<b>\$ 21,200.36</b>	<b>\$ 64,276.63</b>
<b>Yucaipa-Calimesa</b>	<b>2022-2023</b>	<b>2023-2024</b>				
NPS (Students reside w/parents)	7	4				
NPS (Students in residential setting)	2	4				
	<b>Prior Yr Q1 Total***</b>	<b>FY 22-23 (Paid in 23-24)</b>	<b>ESY</b>	<b>Aug</b>	<b>Sept</b>	<b>Q1 Total</b>
NPS Education*	\$ 79,804.59	\$ 7,844.85	\$ 26,458.14	\$ 26,911.23	\$ 32,984.17	\$ 94,198.39
NPS Mental Health**	\$ 93,635.91	\$ 63.94	\$ 48,744.15	\$ 47,168.58	\$ 43,154.56	\$ 139,131.23
<b>District Total</b>	<b>\$ 173,440.50</b>	<b>\$ 7,908.79</b>	<b>\$ 75,202.29</b>	<b>\$ 74,079.81</b>	<b>\$ 76,138.73</b>	<b>\$ 233,329.62</b>
<b>SELPA Wide Tuition Total</b>	<b>\$ 702,334.30</b>	<b>\$ 67.16</b>	<b>\$ 143,637.31</b>	<b>\$ 130,939.74</b>	<b>\$ 188,110.02</b>	<b>\$ 475,059.23</b>
<b>SELPA Wide Mental Health Total</b>	<b>\$ 341,174.97</b>	<b>\$ 387.84</b>	<b>\$ 116,168.27</b>	<b>\$ 117,047.93</b>	<b>\$ 118,718.76</b>	<b>\$ 352,322.80</b>
<b>SELPA Wide Grand Total</b>	<b>\$ 1,043,509.27</b>	<b>\$ 12,760.00</b>	<b>\$ 259,805.58</b>	<b>\$ 247,987.67</b>	<b>\$ 306,828.78</b>	<b>\$ 827,382.03</b>

\*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 reimbursement

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

# ACTION ITEM

## Redlands USD Request to Transfer Occupational Therapy OT Program

Chief Administrative Officer Metheny will review information shared during the October 25, 2023 Special Board of Directors Meeting pertaining to the transfer request received September 14, 2023 by the East Valley SELPA.

The Board will address whether or not to permit the request outside of current Board approved transfer language regarding timelines. If permitted, the Board will address whether to grant the transfer request.



# Redlands Unified School District

Special Services Division

P.O. Box 3008 · Redlands, California 92373-1508 · (909) 307-5300 · FAX (909) 307-5335

November 6, 2023  
Dr. Patty Metheny, Administrator  
East Valley SELPA  
670 E. Carnegie Drive  
San Bernardino, Ca 92408

Dear Dr. Metheny

This letter is to confirm that it is the intention of the Redlands Unified School District to transfer the Occupational Therapy Services program and for the district to provide OT services for all our students starting in the 2024-2025 school year. If you have any questions or need additional information, please feel free to contact me.

Respectfully,

***Patti Buchmiller***

Patti Buchmiller  
Executive Director Special Services  
Redlands Unified School District  
909-307-5300 ext. 21101  
[patricia\\_buchmiller@redlands.k12.ca.us](mailto:patricia_buchmiller@redlands.k12.ca.us)

EAST VALLEY SELPA

**FY 2023/2024 BUDGET INFORMATION**

**EVSELPA REGIONAL PROGRAM/OCCUPATIONAL THERAPY (OT)**

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As authorized by the SELPA Board of Directors, the East Valley SELPA operates a Regional Program funded by a proportionate share based on student serviced counts to provide occupational therapy services. Actual costs are charged to districts at year-end. Any unspent money taken off-the-top are returned to the districts proportionately.

7.92 FTEs for Occupational Therapists (OTs) and 1.0 FTE for a Certified Occupational Therapy Assistant (COTA) as an employee of SBCSS/EV SELPA are included in the budget.

5 Contract COTAs are paid through this budget.

Refer to the SELPA RS/PS Narrative for FY 23/24 Health and Mandatory Benefits rates, and Indirect Cost rate.

# East Valley SELPA

## SELPA Regional Occupational Therapy (OT)

### FY 2023/24 BUDGET INFORMATION

		2021/22	2022/23	2023/24	Change from Prior Year
		ACTUAL	PROJECTED ACTUAL	PROPOSED	Increase/(Decrease)
<b>AB 602 "Off the Top" Funding</b>	Colton	\$575,639	\$739,050	\$788,616	\$49,566
	Redlands	\$957,440	\$1,282,025	\$1,368,007	\$85,982
	Rim	\$105,730	\$150,827	\$160,941	\$10,114
	Yucaipa	\$293,693	\$377,066	\$402,355	\$25,289
	<b>Total</b>	<b>\$1,932,502</b>	<b>\$2,548,968</b>	<b>\$2,719,919</b>	<b>\$170,951</b>
<b>TOTAL REVENUE</b>		<b>\$1,932,502</b>	<b>\$2,548,968</b>	<b>\$2,719,919</b>	<b>\$170,951</b>
<b>EXPENDITURES</b>					
<b>Classified Salaries</b>		\$803,882	\$1,242,412	\$1,340,106	\$97,694
<b>Benefits</b>		\$323,332	\$520,277	\$584,515	\$64,237
	<b>Sub-Total</b>	<b>\$1,127,213</b>	<b>\$1,762,689</b>	<b>\$1,924,621</b>	<b>\$161,931</b>
<b>Materials &amp; Supplies</b>		\$92	\$1,500	\$500	(\$1,000)
<b>Operations</b>		\$65,353	\$104,529	\$120,887	\$16,358
<b>5110 Sub-agreements for Services</b>		\$451,983	\$513,000	\$500,000	(\$13,000)
	<b>Sub-Total</b>	<b>\$517,427</b>	<b>\$619,029</b>	<b>\$621,387</b>	<b>\$2,358</b>
	<b>Total</b>	<b>\$1,644,641</b>	<b>\$2,381,718</b>	<b>\$2,546,008</b>	<b>\$164,290</b>
<b>Trf Refund to Districts</b>		\$194,238	\$0	\$0	\$0
<b>Indirect</b>		\$93,623	\$167,250	\$173,911	\$6,661
	<i>Indirect Rate</i>	<i>7.85%</i>	<i>8.95%</i>	<i>8.50%</i>	
<b>TOTAL EXPENDITURES</b>		<b>\$1,932,502</b>	<b>\$2,548,968</b>	<b>\$2,719,919</b>	<b>\$170,951</b>
<b>ENDING BALANCE</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>STAFFING:</b>					
	7.92 Occupational Therapist II	7.92 Occupational Therapist II	7.92 Occupational Therapist II	7.92 Occupational Therapist IIs	
	4.0 Contract OT (hourly)	2.0 Contract OT (hourly)	2.0 Contract OT (hourly)	1.00 COTA SBCSS employee	
	2.0 Certified OT Asst.(COTA)	6.0 Certified OT Asst.(COTA)	6.0 Certified OT Asst.(COTA)	5.0 COTA contracts	
	.60 SELPA Services Specialist	1.00 SELPA Services Specialist	1.00 SELPA Services Specialist	1.00 SELPA Services Specialist	
				.725 Student Worker	
<b>Total FTEs</b>	<b>8.52 FTEs (6.00 Contracts)</b>	<b>8.92 FTEs (8.00 Contracts)</b>	<b>10.645 FTEs (5.00 Contracts)</b>		

NOTE: Funded proportionately based on actual pupil service counts as of December and April.



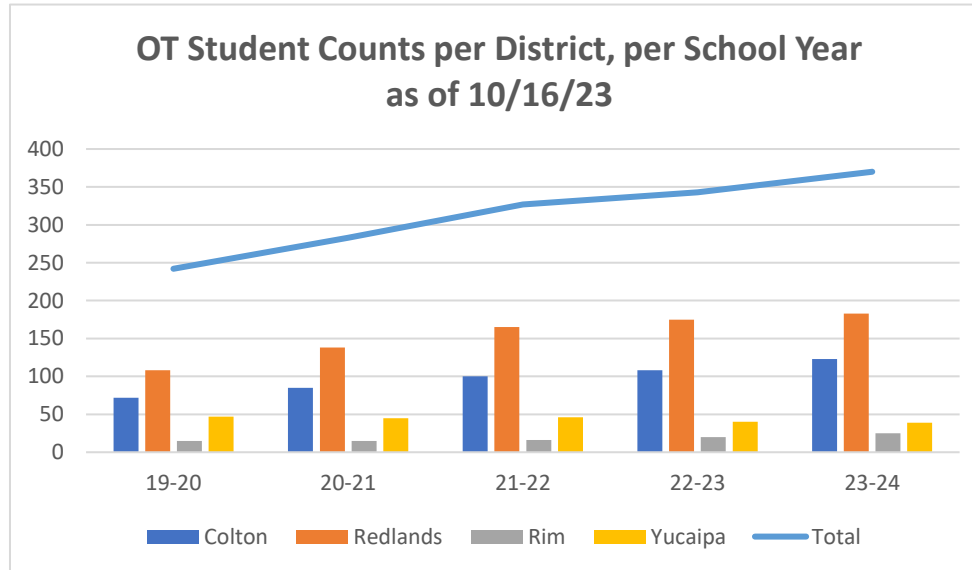
**OCCUPATIONAL THERAPY SERVICES**  
**Simulations of Proposed Regional Program Transfer**  
**Redlands Request for OT 2024-25**

<b>2023-24 EAST VALLEY SELPA</b>											
<b>PROJECTED BUDGET / PROPORTIONATE SHARE COSTS</b>											
SERVICES	Estimated Budget (Adopted to be revised at 1st Interim)	Colton		Redlands		Rim		Yucaipa		Grand TOTAL	
		Count	Cost	Count	Cost	Count	Cost	Count	Cost	Total Count	TOTAL Costs
<b>Students receiving services</b> (7.92 OTRs, 1 COTA, 5 Contract COTAs & Support)	\$2,719,919	107 31%	\$841,131	178 51%	\$1,399,265	19 5%	\$149,360	42 12%	\$330,164	346 100%	\$2,719,919
<b>Initial Assessments</b> (3 Contract OTRs - Medi-Cal)	\$374,440	48 30%	\$ 112,332	75 47%	\$ 175,519	11 7%	\$ 25,743	26 16%	\$ 60,847	160 100%	\$374,440

<b>2024-25 EAST VALLEY SELPA</b>											
<b>MODEL 1 - PROPORTIONATE SHARE COSTS WITHOUT REDLANDS*</b>											
SERVICES	Estimated Budget	Colton		Redlands		Rim		Yucaipa		Grand TOTAL	
		Count	Cost	Count	Cost	Count	Cost	Count	Cost	Total Count	TOTAL Costs
<b>Students receiving service</b> 5 OTRs, 1 COTA FTEs, 2 Contract COTAs, .50 FTE SSS, .50 Student Worker	\$1,671,233	122 65%	\$1,090,323	0 0%	\$0	25 13%	\$223,427	40 21%	\$357,483	187 100%	\$1,671,233
<b>TOTAL BUDGET/COST TO DISTRICTS</b>	\$1,671,233		\$1,090,323		\$0		\$223,427		\$357,483		1,671,233

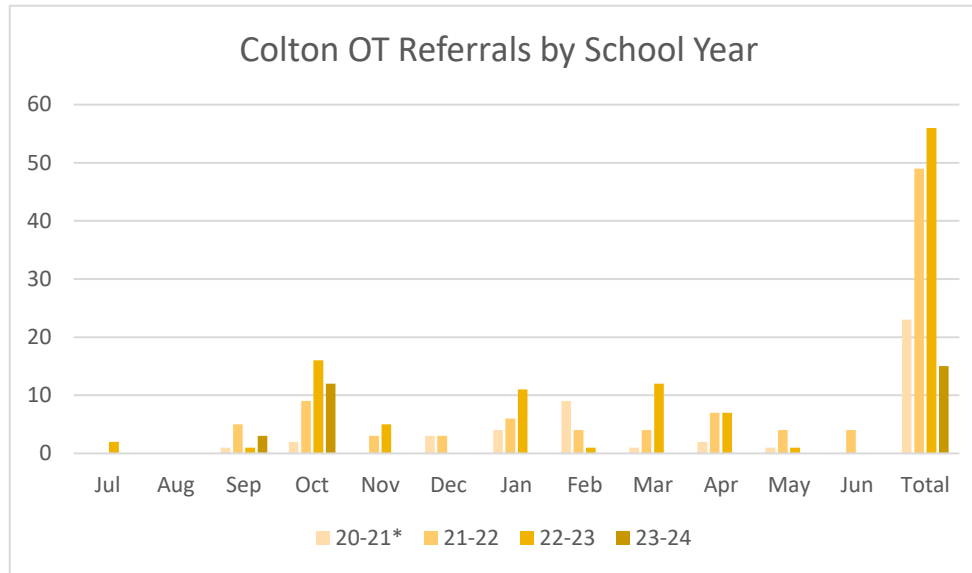
<b>2024-25 EAST VALLEY SELPA</b>											
<b>MODEL 2 - PROPORTIONATE SHARE COSTS WITH REDLANDS*</b>											
SERVICES	Estimated Budget	Colton		Redlands		Rim		Yucaipa		Grand TOTAL	
		Count	Cost	Count	Cost	Count	Cost	Count	Cost	Total Count	TOTAL Costs
<b>Students receiving service</b> 10.00 OTRs, 1 COTA FTE, 5 Contract COTAs, .50 SSS, .50 Student Worker	\$3,188,754	122 33%	\$1,054,276	182 49%	\$1,572,773	25 7%	\$216,040	40 11%	\$345,664	369 100%	\$3,188,754
<b>TOTAL BUDGET/COST TO DISTRICTS</b>	\$3,188,754		\$1,054,276		\$1,572,773		\$216,040		\$345,664		3,188,754
<b>Difference between Model 1 &amp; Model 2</b>			\$36,047		\$7,387.00		\$11,819.00				

\* Student counts in Models 1 & 2 based on student counts as of Oct 1, 2023

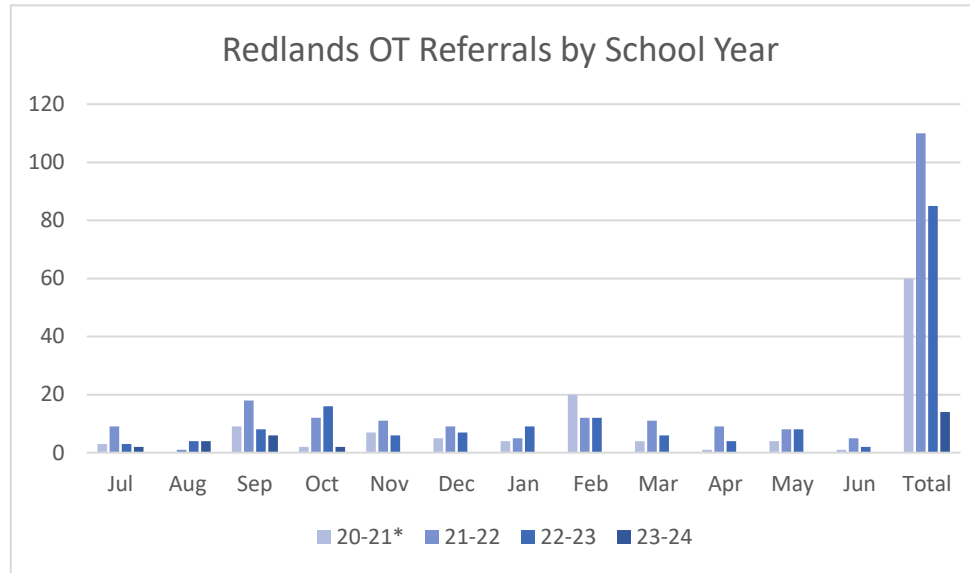


	19-20	20-21	21-22	22-23	23-24
Colton	72	85	100	108	123
Redlands	108	138	165	175	183
Rim	15	15	16	20	25
Yucaipa	47	45	46	40	39
<b>Total</b>	<b>242</b>	<b>283</b>	<b>327</b>	<b>343</b>	<b>370</b>

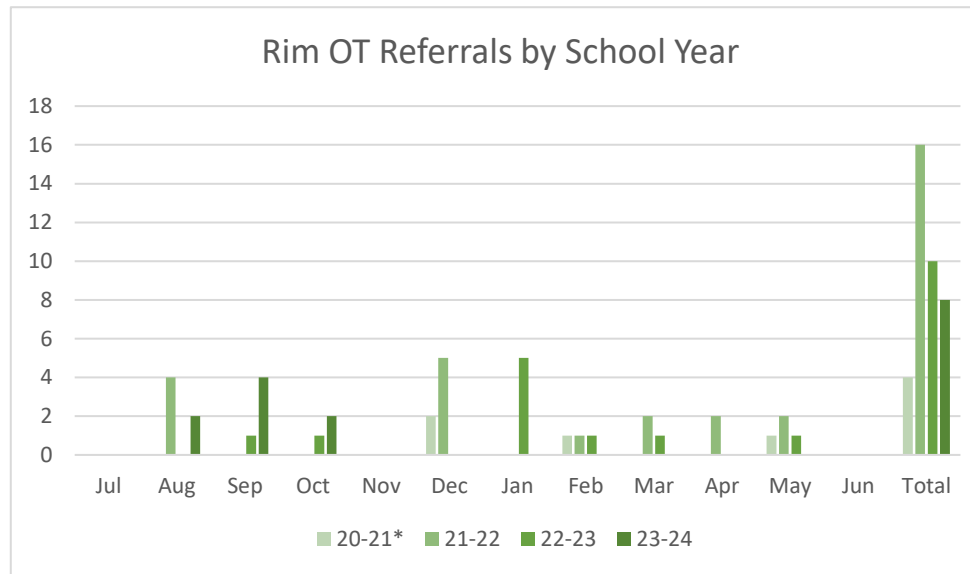




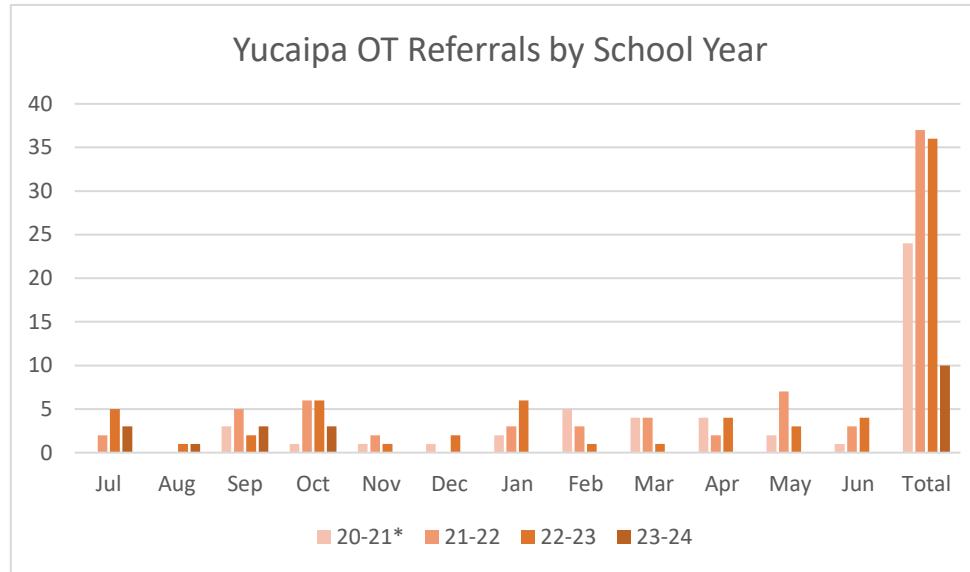
Colton	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>20-21*</b>	0	0	1	2	0	3	4	9	1	2	1	0	23
<b>21-22</b>	0	0	5	9	3	3	6	4	4	7	4	4	49
<b>22-23</b>	2	0	1	16	5	0	11	1	12	7	1	0	56
<b>23-24</b>	0	0	3	12									15



Redlands	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>20-21*</b>	3	0	9	2	7	5	4	20	4	1	4	1	<b>60</b>
<b>21-22</b>	9	1	18	12	11	9	5	12	11	9	8	5	<b>110</b>
<b>22-23</b>	3	4	8	16	6	7	9	12	6	4	8	2	<b>85</b>
<b>23-24</b>	2	4	6	2									<b>14</b>



Rim	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
20-21*	0	0	0	0	0	2	0	1	0	0	1	0	4
21-22	0	4	0	0	0	5	0	1	2	2	2	0	16
22-23	0	0	1	1	0	0	5	1	1	0	1	0	10
23-24	0	2	4	2									8



<b>Yucaipa</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Total</b>
<b>20-21*</b>	0	0	3	1	1	1	2	5	4	4	2	1	<b>24</b>
<b>21-22</b>	2	0	5	6	2	0	3	3	4	2	7	3	<b>37</b>
<b>22-23</b>	5	1	2	6	1	2	6	1	1	4	3	4	<b>36</b>
<b>23-24</b>	3	1	3	3									<b>10</b>

## EV SELPA OT Assessments 2022-23

(Triennials, Re-Assessments, Initials)

District	Triennials Completed	Triennials Pending	Total Triennials	Total OT Students Served
Colton	37	1	38	107
Redlands	42	3	45	178
Rim	5	0	5	19
Yucaipa-Calimesa	10	0	10	42
<b>Total</b>	<b>94</b>	<b>4</b>	<b>98</b>	<b>346</b>

District	Re-Assessments Requested	Total
Colton	0	0
Redlands	1	1
Rim	0	0
Yucaipa-Calimesa	5	5
<b>Total</b>	<b>6</b>	<b>6</b>

Total OT Assessments for Students with Current OT Services	<b>104</b>
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District	Initials Completed	Percent Not Qualifying for Services	Initials Pending	Total
Colton	40	67%	8	48
Redlands	68	62%	7	75
Rim	8	37%	3	11
Yucaipa-Calimesa	25	56%	1	26
<b>Total</b>	<b>141</b>	<b>Average = 56%</b>	<b>19</b>	<b>160</b>

Combined Total of OT Assessments (Triennials, Re-Assessments & Initials)	<b>264</b>
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**5.c.(2). Any Adverse Programmatic Impact on the Remaining Operated Program**

**2023-2024**

1. Decrease in Occupational Therapy (OT) staff if any resign during 2023-2024 due to pending program transfer will result in challenges assessing and serving current students.
2. Significant increase in the number of IEP addendum meetings in the Spring of 2024 if program transfer is approved will result in an increased workload for the OT staff.

**2024-2025**

1. Time required to collaborate with district OT staff for students served in the EV SELPA Motor Room, based on the agreed-upon MOU (described in the Any Facilities Issues section 5.c.(3) of this report).



### **5.c.(3). Any Facilities Issues**

The **EV SELPA Motor Room** is housed in a former San Bernardino County Superintendent of Schools classroom which is now a classroom of the district in Redlands USD at Kimberly Elementary School. The materials and supplies in the Motor Room are property of the EV SELPA.

Discussions between the EV SELPA and Redlands USD determined the most appropriate way to meet student needs across the SELPA is for the EV SELPA and Redlands to engage in a Memorandum of Understanding (MOU) for 2024-2025. This MOU will permit the EV SELPA to continue to staff and operate the Motor Room at Kimberly and serve students SELPA-wide. It will require collaboration between the EV SELPA and district Occupational Therapists to do so as outlined in the MOU. Additionally, the MOU will be reviewed and agreed-upon annually by March of the proceeding school year.



#### 5.c.(4). Any Personnel Issues

The EV SELPA via its administrative unit, San Bernardino County Superintendent of Schools (SBCSS), currently employs eight occupational therapists (OTs) and one certified occupational therapy assistant (COTA). One of the OTs supports the Low Incident Assessment regional program (an FTE of .08). In addition, the EV SELPA contracts with agencies to employ an additional five COTAs. To support the regional OT program, the EV SELPA also employs a SELPA Services Specialist (FTE 1.0) and a student worker (FTE .75). This is a total of 15.645 FTEs (including the five contract COTAs) funded via the EV SELPA Proportionate Share Regional Occupational Therapy Program. Currently, the EV SELPA also employs an OT via an agency for up to 24 hours per week via MediCal funding to assist with the significant increase in referrals for OT assessments that resulted from the COVID pandemic. As this was deemed an emergency, it is not supplanting but cannot continue past 2023-2024.

Approval of the transfer request will result in **three fewer OTs** employed via SBCSS as well as two agency COTAs and the 24 hour per week agency OT in 2024-2025. It will also result in the reduction of staff supporting the EV SELPA OT program so that the SELPA Services Specialist and student worker will provide .50 FTE each to support the program. The other .50 of their FTEs will be absorbed by other EV SELPA programs. For the three SBCSS OT employees potentially impacted, the requirements detailed in the EV SELPA Regional Programs and Program Transfer Policy and Procedures will apply.



## PROGRAM TRANSFER ASSURANCES

Redlands Unified School District  
The \_\_\_\_\_ School District certifies that the agency herein represented will comply with all applicable requirements of federal and state laws and regulations and special education local plan area policies, including compliance with the 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
- ◆ 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 the 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 parent 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 56027(c) - & Section 56035(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

10/19/23  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of LEA Superintendent

10.17.2023  
\_\_\_\_\_  
Date

# DETAILED PLAN FOR SPECIAL EDUCATION PROGRAM TRANSFERS

LEA Name: Redlands Unified School District

Date of Submission: October 19, 2023

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:**

Redlands Unified will continue to provide students with all services as required in their current Individualized Education Program (IEP) in the least restrictive environment. New IEPs will be held as needed.

**(b) Related Services and Equipment**

Students will continue to be provided with all related services and appropriate support as outlined in their IEPs. All required related services will be provided by qualified support staff with appropriate training and administrative support.

Redlands will work collaboratively with the East Valley SELPA to conduct an inventory of current equipment utilized by Redlands students to determine which equipment will stay with the students. Redlands has budgeted for the purchase of required equipment as needed by students. Low incidence equipment will follow the student.

**(c) Facilities**

Students will remain at their assigned sites and not affected by the Program Transfer. Portable P-19 at Clement Middle School will serve as a home base location for the Occupational Therapists (OTs) and Certified Occupational Therapy Assistants (COTAs) while they are not at other school sites providing therapy or attending Individual Education Program (IEP) meetings.

The Motor Room is housed at Kimberly Elementary School and will continue to be staffed and managed by the East Valley SELPA. Redlands Unified will enter into an MOU agreement with SELPA for use of the Motor Room by Redlands students.

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

School Site	Available Facility	Comments
Clement Middle School	Portable P-19	

**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 pupil can benefit.**

**(a) Contingency plans for providing services other than those called for in the IEPs**

Redlands Unified is committed to implementing collaborative programs and inclusive opportunities at all levels. Adding the Occupational Therapists and assistants to our Redlands staff will enhance these opportunities for collaboration between general and special education. The opportunities for the students to participate in general education classes will be enhanced and the curriculum will be more accessible to all. In addition, the OTs will have the opportunity to build multi-tiered systems of support throughout our district, which will benefit all students.

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

**(b) Number (FTEs), Qualifications, and Experience of Support Staff**

Based on the current caseloads, which is 183 students as of October 16, 2023, Redlands Unified intends to employ a total of 5 Occupational Therapists (OTs) and 3 Certified Occupational Therapy Assistants (COTAs). Of the 5 OTs, we intend to begin with 4 RUSD employees and one contracted employee.

The minimum qualifications will include:

- Bachelor's degree from an accredited university
- California Occupational Therapy Certification of License
- Minimum two years experience providing occupational therapy services in a school setting
- Skill in administration and interpretation of occupational therapy assessment procedures, development of appropriate goals and objectives, lesson planning
- Possession of valid California driver's license and be insurable

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

LEA Name: Redlands Unified School District

Date of Submission: October 19, 2023

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**

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

DATE OF MEETING	LOCATION OF MEETING
10/6/23	Zoom- Parent Coffee Chat
10/11/23	Zoom - Parent & Community Meeting

**Involvement of Staff**

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

DATE OF MEETING	POSITIONS
10/4/23	Dept.managers, clerical staff, TOAs, Program Specialists
10/11/23	Support Staff, Psychs, SLPs, Teachers
10/12/23	Site and District Office Administrators
10/13/23	Classified Union President
10/17/23	SAI case carriers

# OTHER

Next Meeting – February 21, 2024

# OTHER

2023-2024 EV SELPA Board of Directors Meeting Schedule

**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)*

