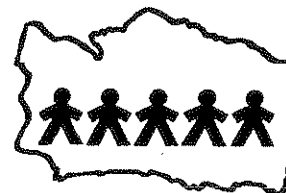


Santa Barbara County
Selpa



SELPA DIRECTOR'S REPORT
JPA Board
November 1, 2010

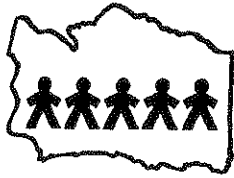
- 1) **Due Process/ Dispute Updates**
 - All due process cases are settled or resolved
 - All CDE complaints are resolved

- 2) **California Teacher Credentialing (CTC) Added Authorizations**

SBCSELPA will be partnering with Innovative Learning and Project Optimal through Southwest SELPA to offer the TBI and OHI authorizations online. Our SELPA could not submit directly to CTC since we are not an LEA. I will provide the coursework for the online programs. We have been highly encouraged by CTC to get these programs submitted ASAP so that they can be approved in December 2010 since there are currently no programs being offered in the state and most, if not all SELPAs, have staff who are not appropriately credentialed and need these authorizations working with students. I am working out the details of the partnership to ensure that there will be monetary or service benefits provided to our SELPA in exchange for the coursework I developed.

- 3) **Private Schools**

I recently conducted the annual required meeting with private school officials throughout Santa Barbara County to seek their input about services for private school students. Most of the input was productive and positive. Each district will now develop a list of services that they will be offering to students attending private schools who have service plans.



**Santa Barbara County
Special Education Local Plan Area
*A Joint Powers Agency***

**SANTA BARBARA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA
JOINT POWERS AGENCY BOARD
MINUTES OF OCTOBER 4, 2010 REGULAR MEETING
JONATA SCHOOL LIBRARY**

The regular meeting of the Santa Barbara County Special Education Local Plan Area (SBCSELPA) Joint Powers Agency Board was called to order by Kathleen Boomer, Chairperson, at 12:02p.m. at the Jonata School Library.

ROLL CALL

Members Present: Kathleen Boomer
Bill Cirone
Tom Cooper
Paul Cordeiro
Kristin Garrison-Lima
Hugo Lara
Bryan McCabe
Paul Turnbull

Members Absent: Phil Alvarado

Others Present: Florene Bednersh, Jarice Butterfield, Claudia Echavarria, Lisa Fernandez, Ruth Rech, Helen Rehm, Lana Thomas

Pledge of Allegiance: Tom Cooper led the assembly in the Pledge of Allegiance.

Welcome Guests: Kathleen Boomer welcomed guests.

SELPA Director Report: Jarice Butterfield reviewed her report to the board.

PUBLIC COMMENT None

**APPROVAL OF ADDITIONAL
EMERGENCY ITEMS** There were no emergency items

**APPROVAL OF ACTION
AGENDA** Kristin Garrison-Lima moved and Tom Cooper seconded a motion to approve the Action Agenda, as presented. The motion passed unanimously.

CONSENT AGENDA

Bill Cirone moved and Paul Turnbull seconded a motion to approve Consent Agenda Items A through I, as presented.

Items on the Consent Agenda that were approved are as follows:

- A. Minutes of the September 13, 2010 Regular Meeting
- B. Ratification of Payment of Claims: 1638929 – 1638937; 1641042 – 1641061
- C. Proposed Revisions to Local Plan Policy 3204 Section III, *Summary of Funding Model Components (Second Reading)*
- D. Proposed deletion of Local Plan Policy 3803, *Reimbursement of Parent Attorney Fees(Second Reading)*
- E. Proposed Revisions to Local Plan Policy 3802, *Responsibility of Solicitation of Provision of Legal/Attorney Services(Second Reading)*
- F. Proposed Revisions to Procedural Handbook Section 2, *Assessment (Second Reading)*
- G. Proposed Revisions to Procedural Handbook Form 34, *Behavioral Emergency Report (Second Reading)*
- H. Proposed Deletion of Procedural Handbook Form 11, *Consent for Extension of 60-Day Timeline for Assessment (Second Reading)*
- I. SBCEO School Business Advisory Services (SBAS) Request for Authorized Signatures

ITEMS SCHEDULED FOR ACTION/CONSIDERATION

Local Plan Policy 3204, AB 602 Special Education Fiscal Allocation Plan, Section VIII, Regional Program Cost Accounting and Appendix B, Regional Class Program Operational Guidelines (Second Reading with requested revisions)

Jarice Butterfield presented requested revisions to Local Plan Policy 3204, Section VIII and Appendix B which stipulate that indirect cost rates allocated to the SBCEO operated Regional Program be negotiated annually. Bill Cirone moved and Paul Turnbull seconded a motion to approve the second reading of Local Plan Policy 3204, Section VIII and Appendix B, with requested revisions. The motion passed unanimously.

Local Policy 3204, Section XI, SELPA Funding Costs Associated with Due Process (Second Reading with additional revisions)

Jarice Butterfield presented additional revisions to Local Plan Policy 3204, Section XI which include minor revisions to policy language related to due process costs and language defining how Regional Program litigation will be funded. Hugo Lara moved and Kristin Garrison-Lima seconded a motion to approve the second reading of Local Plan Policy 3204, Section XI with additional revisions. The motion passed unanimously.

Local Plan Policy 6405, Entities Responsible for Program Operation (First Reading)

Jarice Butterfield presented proposed revisions to Local Plan Policy 6405 which stipulate that preschool students may not be retained in preschool past their sixth birthday in order to meet California Compulsory Education laws, as opined by CDE. Bryan McCabe moved and Hugo Lara seconded a motion to approve the first reading of the proposed revisions to Local Plan 6405. The motion passed unanimously. The item will return for second reading on the JPA Consent Agenda in November 2010.

ITEMS SCHEDULED FOR ACTION/CONSIDERATION (Continued)**Local Plan Policy 3103, Nonpublic School Student ADA (First Reading)**

Jarice Butterfield presented proposed revisions to Local Plan Policy 3103 which stipulate that Basic Aid districts will transfer the collected ADA revenue limit to the SBCSELPA to offset the costs associated with nonpublic school placements incurred by the SBCSELPA. After a brief discussion, Hugo Lara moved and Kristin Garrison-Lima seconded a motion to approve the first reading of the proposed revisions to Local Plan Policy 3103. The motion passed unanimously. The item will return for second reading on the JPA Consent Agenda in November 2010.

Local Policy 6112, Referrals To and Exit From Regional Special Class Programs Referral Process (First Reading)

Jarice Butterfield presented the proposed revisions to Local Plan Policy 6112 which outlines the process for referring preschool students with higher levels of special education needs to regional programs while attending preschools operated by the district of residence. Paul Turnbull moved and Tom Cooper seconded a motion to approve the first reading of the proposed revisions to Local Plan Policy 6112. The motion passed unanimously. The item will return for second reading on the JPA Consent Agenda in November 2010.

Procedural Handbook form 28, Regional Program Referral Process (First Reading)

Jarice Butterfield presented the proposed revisions to Procedural Handbook form 28 which was prompted by the proposed revisions to Local Plan Policy 6112. Bill Cirone moved and Paul Turnbull seconded a motion to approve the revisions to Procedural Handbook form 28, as presented. The motion passed unanimously. The item will return for second reading on the JPA Consent Agenda in November 2010.

Procedural Handbook, Section 4, Implementation (First Reading)

Jarice Butterfield presented the proposed revisions to Procedural Handbook, Section 4 which was prompted by the proposed revisions to Local Plan Policy 6112. Tom Cooper moved and Bryan McCabe seconded a motion to approve the revisions to Procedural Handbook, Section 4, as presented. The motion passed unanimously. The item will return for second reading on the JPA Consent Agenda in November 2010.

Request for Additional Support Staff in SH Classroom

Jarice Butterfield presented the request for additional support staff in SH classroom, explaining that the previously approved support staff in an SH classroom at Lompoc Unified School District has been reassigned to an SH classroom at Olga Reed Elementary in the Los Alamos School District; consequently the funding attached to the support staff would follow which prompted the submission of a new request. Hugo Lara moved and Paul Turnbull seconded a motion to approve the request for additional support staff in SH classroom. The motion passed unanimously.

ITEMS SCHEDULED FOR ACTION/CONSIDERATION (Continued)**Legal Services Agreement with
Melissa Hatch**

Jarice Butterfield presented the legal service agreement with Melissa Hatch, explaining that Ms. Hatch, previously with Fagen, Friedman, and Fulfrost, is now in private practice and that some districts in the SELPA would like to continue working with her. Paul Cordeiro moved and Kristin Garrison-Lima seconded a motion to approve the legal services agreement with Melissa Hatch, as presented. The motion passed unanimously.

**Hiring of Behavior/Autism
Specialist**

Jarice Butterfield presented the hiring of Erica Vloeberghs as a temporary .6 FTE Behavior/Autism Specialist for the remainder of the 2010-11 school year. After a brief discussion and understanding that the position would re-open at the beginning of the 2011-2012 school year as a 100 percent FTE, Tom Cooper moved and Paul Turnbull seconded a motion to approve the hiring of Erica Vloeberghs as a Behavior/Autism Specialist at .6 FTE for the remainder of the 2010-11 school year. The motion passed unanimously.

ITEMS FOR INFORMATION AND DISCUSSION**Update on CCS Medical Therapy
Unit (MTU) Needs**

Jarice Butterfield presented an update on CCS Medical Therapy Unit needs which included a report from Jeff Mitchell on the future expansion of the MTU at Santa Maria and update on the funding eligibility report from School Facilities Consultants for Lompoc. A discussion was held focusing on the funds currently being held for the construction of an MTU at Lompoc. It was determined that further discussions regarding an allocation of the funds being held for such construction will resume once the eligibility report from School Facilities Consultants is finalized and reviewed by the Board.

**2010-11 Year-to-Date SELPA Legal
Fees (Allocation to Districts)**

Board satisfied. No questions or comments.

**2010-11 Year-to-Date SELPA Legal
Fees (Reserve)**

Board satisfied. No questions or comments.

**Financial Status Report, Period
Ending 8/31/2010**

Board satisfied. No questions or comments.

**2010-11 Update Chart for
Nonpublic School Placement
Costs**

Board satisfied. No questions or comments.

MISCELLANEOUS AGENDA ITEMS

Items Proposed for Future Action or Discussion

Funds for the construction of an MTU at Lompoc.

JPA Board Member's Items

None

Next Scheduled JPA Board Meeting

The next regular JPA Board Meeting is scheduled for November 1, 2010 12:00 p.m., Jonata School Library.

CLOSED SESSION

The Board adjourned to closed session at 12:29 p.m.

A. Confidential Student NPS Individual Service Agreements Update

B. Existing Litigation: Government Code Section 5495639(a) – Legal Status Case 2009-10-02

RECOVENE TO PUBLIC SESSION

Report of action taken in Closed Session, as appropriate

The meeting was called back into session at 12:44 p.m. Kathleen Boomer reported the following action was taken in Closed Session.

<i>A. Nonpublic School</i>	<i>Case Number</i>	<i>100% Contract Cost</i>	<i>Effective Dates</i>
Casa Pacifica	2010-11-06	\$31,416.00	9/1/10 – 6/30/10

Hugo Lara moved and Tom Cooper seconded a motion to approve the nonpublic school placement, as presented.

ADJOURNMENT

Bill Cirone moved and Paul Turnbull seconded a motion to adjourn the meeting at 12:45 p.m.

Kathleen Boomer, Chairperson
Santa Barbara County SELPA

Jarice Butterfield, Secretary
Santa Barbara County SELPA

APY170-01
 DATE 09/24/10
 TIME 00:03:12
 DISTRICT 71

SANTA BARBARA COUNTY SCHOOLS
 SCHOOL DISTRICT BOARD APPROVAL LIST
 BY WARRANT NUMBER
 SANTA BARBARA SELPA

ISSUE DATE 9/24/10

WARRANT NO. DOCUMENT NO.	PAYEE DESCRIPTION #1 DESCRIPTION #2	WARRANT AMT. DOCUMENT AMT.
1642205 DP010750	DANNIS WOLIVER KELLEY AUGUST LEGAL SERVICES	6,424.00 ** 6,424.00 *
1642206 DP010751	FAGEN FRIEDMAN & FULFROST LLP AUGUST LEGAL SERVICES	5,441.00 ** 5,441.00 *
1642207 DP010752	GOLETA UNION SCHOOL DISTRICT MEETING ROOM REIMB.	100.00 ** 100.00 *
1642208 DP010753	JEANINE JOHNSON-CALOUCES MTU INST. MATERIALS REIMB.	32.61 ** 32.61 *
1642209 DP010760	NPS CASE NUMBER 2010-11-02 NPS TRAVEL REIMB.	1,384.83 ** 1,384.83 *
1642210 DP010754	NORTH VALLEY SCHOOLS INC. AUGUST NPS PLACEMENT	3,470.53 ** 3,470.53 *
1642211 DP010755	SPARKLETTS SELPA WATER	40.64 ** 40.64 *
1642212 DP010756	SPRINT MTU TELEPHONE	41.23 ** 41.23 *
1642213 DP010757	VERIZON CALIFORNIA SELPA/MTU TELEPHONES	398.01 ** 398.01 *
1642214 DP010758	NPS CASE NUMBER 2010-11-01 NPS TRANSPORTATION REIMB.	500.00 ** 500.00 *
1642215 DP010759	FRAN ZIMMERMAN MTU INST. MATERIALS REIMB.	50.00 ** 50.00 *

DISTRICT TOTAL 17,882.85

DISTRICT WARRANTS 11

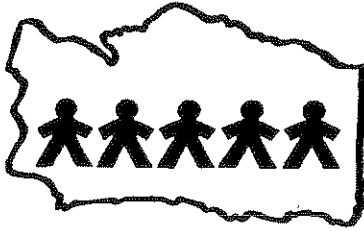
APY170-01
DATE 10/01/10
TIME 00:06:21
DISTRICT 71

SANTA BARBARA COUNTY SCHOOLS
SCHOOL DISTRICT BOARD APPROVAL LIST
BY WARRANT NUMBER
SANTA BARBARA SELPA

PAGE 1

ISSUE DATE 10/01/10

WARRANT NO. DOCUMENT NO.	PAYEE DESCRIPTION #1 DESCRIPTION #2	WARRANT AMT. DOCUMENT AMT.
1643076 DP010761	AT&T MTU TELEPHONE	39.45 ** 39.45 *
1643077 DP010762	JARICE BUTTERFIELD TRAVEL/TELEPHONE REIMB.	322.00 ** 322.00 *
1643078 DP010763	ESSENTIAL COMMUNICATION SELPA TELEPHONE	533.25 ** 533.25 *
1643079 DP010764	FAGEN FRIEDMAN & FULFROST LLP AUGUST LEGAL SERVICES	2,574.50 ** 2,574.50 *
1643080 DP010765	KATHY FARGEN STAFF DEVELOPMENT REIMB.	33.00 ** 33.00 *
1643081 DP010766	GOLETA UNION SCHOOL DISTRICT LOW INCIDENCE REIMB.	7,021.83 ** 7,021.83 *
1643082 DP010767	LIMOTTA INTERNET TECHNOLOGIES SELPA COMPUTER SETUP SERVICES	481.26 ** 481.26 *
1643083 DP010768	MELISSA O'NEAL STAFF DEVELOPMENT REIMB.	85.00 ** 85.00 *
1643084 DP010769	MARGARET SLATER PRINTER REIMB.	895.99 ** 895.99 *
1643085 DP010770	VERIZON CALIFORNIA MTU TELEPHONES	99.38 ** 99.38 *
1643086 DP010771	VISION AND TASK CONFERENCE CONFERENCE REGISTRATION FEE	100.00 ** 100.00 *
	DISTRICT TOTAL	12,185.66
	DISTRICT WARRANTS	11



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010
To: SBCSELPA JPA Board
From: Jarice Butterfield, SELPA Director
Re: Local Plan Policy 6405, *Entities Responsible for Program Operation*
(*Second Reading*)

BACKGROUND:

- At the October 2010 Board meeting, the Board took action on the first reading of the proposed revisions to Local Plan Policy 6405. The motion to approve this item passed unanimously. The item has returned for second reading.
- Policy 6405 speaks to the retention of preschool students.
- I obtained an opinion from CDE; preschool students may not be retained in preschool past their 6th birthday in order to meet *California Compulsory Education* laws.
- I revised Policy 6405 to clarify the above.

FISCAL IMPACT: No fiscal impact

RECOMMENDATIONS:

I recommend that the Board approve the second reading of Local Plan Policy 6405 as amended to reflect *California Compulsory Education Laws*.

JB:lf

SPECIAL EDUCATION LOCAL PLAN AREA
SPECIAL EDUCATION - INSTRUCTION

6000

6400

IMPLEMENTATION

6405

Entities Responsible for Program Operation

Normally nondirect service school districts will operate programs for individuals with disabilities residing within their district with the following exceptions:

1. The County Education Office will operate infant programs for individuals with disabilities who are within the age range of birth to 3 years and who are eligible for special education.
2. The County Education Office will operate preschool special education programs for individuals with disabilities who are enrolled in preschool programs except for:
 - a. District operated regional programs of low incidence disabilities such as hearing impaired, visually impaired, etc.
 - b. District operated preschool special education programs for individuals with disabilities.

The normal expectation is that children will enter kindergarten if they are 4.9 years of age as of September 1.

3. Individuals with disabilities who are retained in preschool through the recommendation of the IEP Team (which must include an administrative representative from both the County Education Office and the child's district of residence) shall continue to receive necessary special education services from the County Education Office.

All preschool students shall transition to an appropriate kindergarten program by the student's sixth birthday in order to meet California Compulsory Education Laws.

4. Preschool individuals with an IEP who reside in districts that comprise the Santa Barbara County SELPA may, upon parent request due to employment related reasons, receive preschool special education services in a like program offered as FAPE in the IEP from the County Education Office and district where regional program is operated on a space available basis in regions of the SELPA other than the region where services would normally be provided. In cases where preschool intra-SELPA placements are at parent request rather than pursuant to a recommendation of the IEP Team, transportation for the child shall be the responsibility of the parent.

School age regional program students who reside in districts that comprise the Santa Barbara County SELPA may, upon parent written request to and approval from the SELPA Director, attend and receive special education services in a like regional program located in a region other than the region

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6405 Entities Responsible for Program Operations (Continued)

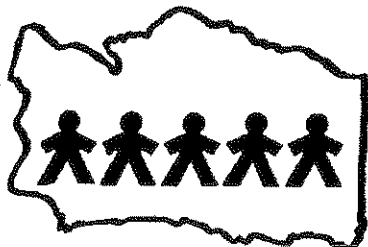
where the services would normally be provided on a space available basis due to parent employment reasons. The SELPA Director will meet with the LEA special education administrator and regional program operators from both regions to discuss the request to ensure the request is appropriate and feasible. The SELPA Director's final decision will be provided to the parent in writing within 30 days from the request unless the request is received when school is not in session pending JPA Board approval. If the request is received when school is not in session, then the final decision will be provided to the parent by September 15th. Each intra-SELPA transfer will be granted for one year only and a new request must be submitted annually. In cases where the intra-SELPA placement is at parent request rather than pursuant to a recommendation of the IEP Team, transportation for the child shall be the responsibility of the parent. All costs associated with the program, with the exception of transportation, shall be funded as per SBCSELPA Local Plan Policy 3204.

5. Preschool individuals with disabilities whose parents reside outside the boundaries of the Santa Barbara County SELPA may receive preschool special education services provided by the County Education Office with the consent of the child's district of residence on a space available basis. Any excess costs of special education services received by such individuals shall be billed to the child's district of residence.
6. The County Education Office will operate programs for individuals in direct service districts where programs are not available for such pupils in nondirect service districts.

The governing board of the County Education Office or any district within the SELPA may provide for the education of individual pupils in special education programs maintained by other districts or counties, and may include within the special education program pupils who reside in other districts or counties.

(EDUCATION CODE 56195.5(b))

DATE APPROVED: January 9, 1987
DATE REVISED: March 3, 1995
DATE REVISED: January 8, 1999
DATE REVISED: December 9, 2002
DATE REVISED: December 3, 2007
DATE REVISED: December 14, 2009



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010
To: SBCSELPA JPA Board
From: Jarice Butterfield, SELPA Director
Re: Local Plan Policy 3103, *Nonpublic School Student ADA*
(*Second Reading*)

BACKGROUND:

- At the October 2010 Board meeting, the Board took action on the first reading of the proposed revisions to Local Plan Policy 3103. The motion to approve this item passed unanimously. The item has returned for second reading.
- The SELPA currently has a policy which allows for the SELPA to collect revenue limit ADA for nonpublic students for which the SELPA is fiscally responsible.
- It came to my attention recently that this policy did not address the issue of collecting revenue limit for these students when their district of residence is a basic aid district.
- With input from the SELPA fiscal and special education staff, I have revised this policy to cover this situation.

FISCAL IMPACT: The funding generated from this revision will offset the nonpublic school placement costs that SELPA incurs for students whose district of residence is a basic aid district.

RECOMMENDATIONS:

It is recommended that the JPA Board approve the second reading of the proposed revisions to Local Plan Policy 3103, as presented.

JB:ms

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

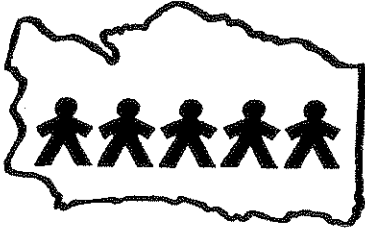
3000 BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

3100 INCOME

3103 Nonpublic School Student ADA

When the Santa Barbara County SELPA has been designated as fiscally responsible for a nonpublic school placement, the ADA will be reported and the revenue limit collected by the district of residence. The district that reports the ADA shall transfer such revenue to the SELPA to offset the SELPA's actual costs for the placement. *Basic aid districts shall transfer to SELPA the amount equal to their district's deficated base revenue limit. The amount transferred shall be equal to the amount generated by student ADA were the district not a basic aid district .*

DATE APPROVED: February 12, 1987



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010
To: SBCSELPA JPA Board
From: Jarice Butterfield, SELPA Director
Re: Local Plan Policy 6112, *Referrals To and From Regional Special Class Programs Referral Process (Second Reading)*

BACKGROUND:

- At the October 2010 Board meeting, the Board took action on the first reading of the proposed revisions to Local Plan Policy 6112. The motion to approve this item passed unanimously. The item has returned for second reading.
- It came to my attention that Policy 6112 needed to be revised since there is now a district of residence that operates its own preschool program and our current policy does not address how preschool referrals for students needing regional programs, due to higher levels of need, will be handled by the district.
- I added a section that describes the process for new enrollee preschoolers to be referred to regional programs when a district of residence operates some special education preschool programs.

FISCAL IMPACT: There is no known fiscal impact

RECOMMENDATIONS:

I recommend that the Board approve the second reading of Local Plan Policy 6112 as amended to add a process for a district of residence to make referrals to regional preschool programs.

JB:lf

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6100 IDENTIFICATION AND REFERRAL

6112 Referrals To and Exit From Regional Special Class Programs
Referral Process

It is expected that a student shall be referred for consideration of placement in a regional special class program class only if the student's needs have not been met successfully, or in the case of an anticipated incoming preschool student, districts running preschool programs do not anticipate they meet the student's needs, in a less restrictive environment with appropriate special education support and intervention. It is the expectation that the district of residence will have considered, and where appropriate, utilized all district special education supports and program options prior to considering a referral to a regional program. (refer to Procedural Guidelines Regional Program Referral Checklist)

If a District/CEO Administrator/Designee becomes aware that a regional program referral may need to be considered, an IEP meeting may be convened. If at the IEP meeting the IEP team agrees that a regional program may need to be considered, the following process shall occur:

Note: In the case of anticipated enrollment of a preschool student with moderate to severe needs in a district that operates preschool programs for students with mild to moderate needs, the following process would occur prior to convening an IEP.

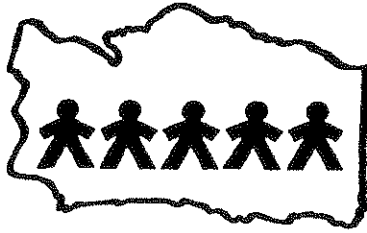
1. District/CEO Director/Designee collects data, observes student, etc., completes the Referral for Consideration in a Regional Program Packet, and sends packet to Regional Program Director/Designee;
2. The Regional Program Director/Designee reviews the referral data and sets up a meeting with District/CEO Director and/or requests additional data if needed within 10 school days of receipt of the packet; (in the case of a referral for an incoming three year old preschool student, the process must be expedited in order for the IEP to take place prior to the student's third birthday);
3. Regional Program Director/Designee and staff meet with referring District Director/Designee to discuss the referral for consideration;
4. If it is mutually agreed that the referral to a regional program is appropriate, the Regional Program and District staff shall collaborate on any assessment deemed necessary and development of proposed goals.

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

- 6000 SPECIAL EDUCATION - INSTRUCTION
- 6100 IDENTIFICATION AND REFERRAL
- 6112 Referrals To and Exit From Regional Special Class Programs
Referral Process (*continued*)

5. *An IEP meeting will be convened by the District of Residence.*

4. 6. It is recommended that all disputes between the Regional Program Director and referring District/CEO Director (or between an LEA and Mental Health) be resolved prior to and outside of the IEP process. If the Regional Program Director and referring District/CEO Director are in dispute about the referral for consideration, they shall contact the SBCSELPA Director to convene a dispute resolution meeting prior to an anticipated expanded IEP team meeting. As a result of this dispute resolution meeting, the SELPA Director shall render a determination to resolve the dispute between the District/CEO and Regional Program Director. The SELPA Director's determination shall be final and shall govern for purposes of funding only. [Purposes of funding refers to SELPA payment for regional services as a shared cost as per the Local Plan Funding Model] The SELPA Director's determination shall not be construed as the individualized education program ("IEP") team's recommendations and/or be considered a directive to the IEP team regarding its recommendations. The IEP team shall make all determinations regarding the student's IEP



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010

To: SBCSELPA JPA Board

From: Jarice Butterfield, SELPA Director
Claudia Echavarria, SELPA Coordinator

Re: Proposed Revisions to SBCSELPA Procedural Handbook form 28, *Regional Program Referral Process (Second Reading)*

BACKGROUND:

- At the October 2010 Board meeting, the Board took action on the first reading of the proposed revisions to Procedural Handbook form 28. The motion to approve this item passed unanimously. The item has returned for second reading.
- I am proposing that the following revisions be made to the Procedural Handbook form 28, *Regional Program Referral Process*, in order to align with the Local Plan revisions made to Policy 6112, *Referral to and Exit from Regional Special Class Programs Referral Process*.
- The revisions are specifically related to the anticipated enrollment of a preschool student into a district that runs preschool programs for only mild to moderate student needs.

FISCAL IMPACT: There will be no fiscal impact.

RECOMMENDATIONS:

I recommend that the Board approve the second reading of the proposed revisions to SBCSELPA Procedural Handbook form 28, *Regional Program Referral Process*.

JB/CE:lf

Regional Program Referral Process

To be completed by the referring district or County Education Office Director/Designee

Prior to referring a student for consideration in a regional program please complete each of the steps in the referral process below (in sequence):

Note: Exceptions to the referral checklist/process may be considered under unique circumstances; all exceptions are to be initiated by the referring District's Director/Designee and approved by the Director/Designee of the regional program.

- The IEP team meets and discusses a regional program as a possible appropriate placement; meeting is recessed. In the case of an anticipated enrollment of a preschool student with moderate to severe needs into a district that operates preschool programs for mild to moderate needs, the Special Education Administrator shall contact the Regional Program provider in order to discuss the case and the possibility of a regional program placement PRIOR to the IEP meeting.
- School psychologist and/SPED case manager complete the *Pre-referral Checklist* form and contact District Director/Designee with intent to refer.
- District Director/Designee prepares referral packet to include the following current information (one year or less) prior to convening expanded IEP with regional program staff:
 - Cover letter with referral request and brief history of the case
 - Complete this Referral Form
 - Developmental and Health History
 - Educational history, including history of previous educational and behavioral interventions and results of the interventions
 - Teacher input/interviews (past and present if possible)
 - Observation data
 - Student work samples
 - Current psycho-educational evaluation (intellectual functioning, language, adaptive behavior, academic skills, emotional functioning, and psycho-motor development)
 - A review or copies of previous psychoeducational evaluations/reports
 - Copies of any suspensions or expulsion records and behavior emergency reports
 - Copies of current IEPs, to include any behavior plans
 - Current academic assessment reports (public/private) not included in psych. report
 - Related service assessment reports (if applicable)
 - Any other relevant documents.
- District Director/Designee reviews *Pre-referral Checklist* and materials and forwards to Regional Program Director/Designee to review and discuss referral.

Regional Special Class Referral Process Steps:

- District Director/Designee sets up meeting with Regional Program Director/Designee.
- Regional Program Team/Referring District Director/Designee meet to discuss possible referral to regional program.
- An expanded IEP takes place with Regional Director/Designee to discuss if regional program is appropriate.

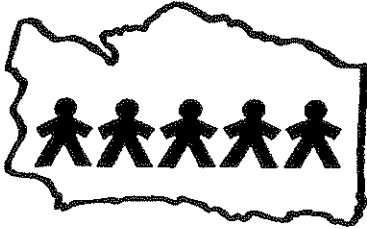
**Regional Program Pre-Referral Checklist
(other than CTE)**

To be completed by School psychologist and/or special education case manager prior to referring student to regional programs (for CTE Referrals complete the CTE Pre-Referral Checklist)

Check the boxes below that are appropriate to the student being referred:

- Student is eligible for special education services
- Student has previously received special education services in the district
- During the current year, the student is preschool age and has been supported with special day class level of support and is functioning at a 24 month or below developmental level
- An anticipated enrollment of a preschool student into a district that runs preschool programs, but the district believes their current programs do not meet the student's individual needs
- Student is assessed with CAPA, if so, which level? __ Level 1 or __ Level 2, 3, 4, or 5
- Student takes the California Modified Assessment (applicable to grades 3, 4, and 5)
- Student has significant challenging behavior that cannot be addressed using district resources (documentation of all previous interventions must be available and provided to the Regional Program Director/Designee)
- Student's eligibility is emotional disturbance (follow CTE checklist)
- Student is eligible for special education services under DHOH and requires a special day class program to meet his/her needs. Students who are DHOH in regional DHOH classes must meet the following additional criterion:
 - Student functions in the mild to moderate disability range
 - Student takes CMA or CST (not CAPA level)
 - Student is able to perform in an academic program w/accommodations or modifications needed for their hearing loss
- District has exhausted all other special education programs/supports, including but not limited to:
 - Special education support in a general education setting
 - Provision of instructional assistant support (1:1 or small group)
 - Placement in a special day class for more than 50% support during the school day Related services in all areas of suspected need
 - For students who are CAPA Level 2-5 and have significant challenging behavior, a Behavior Intervention/Classroom Support Plan has been developed and implemented.

Comments: _____



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010

To: SBCSELPA JPA Board

From: Jarice Butterfield, SELPA Director
Claudia Echavarria, SELPA Coordinator

Re: Proposed Revisions to SBCSELPA Procedural Handbook Section 4,
Implementation (Second Reading)

BACKGROUND:

- At the October 2010 Board meeting, the Board took action on the first reading of the proposed revisions to Procedural Handbook Section 4. The motion to approve this item passed unanimously. The item has returned for second reading.
- I am proposing that the following revisions be made to the Procedural Handbook Section 4, *Implementation*, in order to align with the Local Plan revisions made to Policy 6112, *Referral to and Exit from Regional Special Class Programs Referral Process*.
- The revisions are specifically related to the anticipated enrollment of a preschool student into a district that runs preschool programs for only mild to moderate student needs.

FISCAL IMPACT: There will be no fiscal impact.

RECOMMENDATIONS:

I recommend that the Board approve the second reading of the proposed revisions to SBCSELPA Procedural Handbook Section 4, *Implementation*.

JB/CE:lf

OVERVIEW OF REGIONAL PROGRAMS

Students who are supported in Regional Programs:

- Students who are referred to the CTE program;
- Students who are DHOH;
- Students determined to be CAPA Level 1;
- By exception only: Students determined to be CAPA Level 2-4 with significant challenging behavior that cannot be successfully addressed with district resources (attempts must be well documented)

How Students are placed in District or Regional Programs:

Condition 1. A student is moving into Santa Barbara County from an out of county program with an IEP.

- a. The call from the parent is directed to the special education operator of the District of Residence.
- b. The District of Residence requests a copy of the IEP and current Psych report from the sending LEA or the parent.
- c. The District of Residence reviews the paperwork and if the student is a student as described above and being supported by a Regional Program, the district refers the student to the Regional Operator, the Regional Operator conducts a 30 day interim placement IEP and enrolls the student in a Regional program.

OR

The District of Residence reviews the paperwork and if the student is not a student as described above and was being supported in a non-Regional program, the District operator conducts a 30 day interim placement IEP and enrolls the student in a non-Regional program.

- d. The District of Residence implements the IEP, conducts assessment during the 30 days and reconvenes the IEP within the 30 days.
 - i. If the student is determined to need more specialized support than can be provided within the non-Regional program, the District may refer the student to the Regional Operator for consideration for enrollment in a Regional class (follow process outlined below).
 - ii. If the student's IEP can be implemented with appropriate supports and services provided by the District, new goals are written, services recommended, and placement maintained by the District of Residence.

Condition 2. A student has been in a non-Regional class through elementary, middle school and high school. The student is now transitioning to an adult transition program.

- a. The District is to continue to support the student through the non-Regional District transition program unless recommended for a move to a more restrictive placement due to a change in student needs.

Condition 3. A student is in a non-Regional class with specialized needs that can no longer be met by the District of Residence.

- a. The District may refer the student to the Regional Operator for consideration for enrollment in a Regional class (follow process outlined below in SELPA form: Regional Program Referral Process).

- Condition 4. A student is moving into an LCI in Santa Barbara County
- a. A call or letter from the placing agency to the SELPA will be forwarded to the special education director in the prospective District of Residence.
 - b. The District of Residence reviews the referral for appropriateness for placement in a district program. If the student falls into one of the categories of appropriateness for Regional classes listed above, the Regional Operator will be the recommended service provider. For all others the District of Residence will be responsible for implementing a 30 day interim placement.

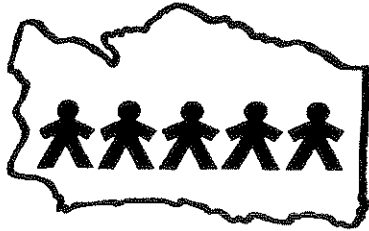
Condition 5. A student has been in a Regional Special Day Class as a preschooler and is recommended by the IEP team and the District of Residence for continued support in a school aged Regional program.

Condition 6. In the case of an anticipated enrollment of a preschool student into a district that runs preschool programs, but the district believes their current programs do not meet the student's individual needs.

a. The district may refer the student to the Regional Operator for consideration for enrollment in a Regional class (follow process outlined in SELPA form: Regional Program Referral Process).

Conditions that may not be included as reason for referral to a more restrictive placement:

- Class size
- Funding issues
- Strength of teacher
- Parent choice
- Student doesn't "fit" into existing model of support
- English Language learner creating need for bilingual supports



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010
To: SBCSELPA JPA Board
From: Jarice Butterfield, SELPA Director
Re: Addition of SELPA Personnel policies 4401, 4501, & 4601(*First Reading*)

BACKGROUND:

- It came to my attention that our SELPA personnel policies included in the Local Plan do not include all the required provisions. Ed Code requires a policy regarding *drug and alcohol in the workplace, legal status, and nondiscrimination*.
- I have included the following additional personnel policies for the Board's review and approval:
 - Policy 4401, *Prohibitions Against Employee Use of Drugs and Alcohol in the Workplace*
 - Policy 4501, *Employment Eligibility Verification and Nondiscrimination*
 - Policy 4601, *Prohibitions Against Discrimination and Harassment*
- These policies will be included in a SBCSELPA Personnel Handbook.

FISCAL IMPACT: No fiscal impact.

RECOMMENDATIONS:

I recommend that the Board approve the addition of SELPA Personnel policies 4401, 4501, and 4601, as presented.

JB:lf

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

4000 PERSONNEL

4400 DRUG AND ALCOHOL FREE WORKPLACE

4401 Prohibitions Against Employee Use of Drugs and Alcohol in the Workplace

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance at any Santa Barbara County SELPA workplace. These prohibitions apply before, during and after school hours. A Santa Barbara County SELPA workplace is any place where employees of the Santa Barbara County SELPA perform work or are otherwise engaged in SBCSELPA business, including all school district and County Education Office sites.

DATE APPROVED: _____

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

4000 PERSONNEL

4500 LEGAL STATUS REQUIREMENT

4501 Employment Eligibility Verification and Nondiscrimination

The Santa Barbara County SELPA shall employ only those individuals who are lawfully authorized to work in the United States.

The SELPA Director or designee shall verify the employment eligibility of all persons hired by completing the U.S. Citizenship and Immigration Services Form I-9, Employment Eligibility Verification, for each individual hired and ensure that the SELPA does not knowingly hire or continue to employ any person not authorized to work in the United States.

In accordance with law, the SELPA Director or designee shall ensure that SELPA employment practices do not unlawfully discriminate on the basis of citizenship status or national origin, including, but not limited to, discrimination against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

DATE APPROVED: _____

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

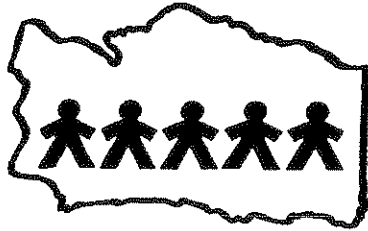
4000 PERSONNEL

4600 NONDISCRIMINATION IN EMPLOYMENT

4601 Prohibition Against Discrimination and Harassment

The Joint Powers Agency Board prohibits discrimination against and/or harassment of Santa Barbara County SELPA employees and job applicants on the basis of race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, sex, or sexual orientation.

DATE APPROVED: _____



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010

To: SBCSELPA JPA Board

From: Jarice Butterfield, SELPA Director

Re: Proposed revisions to SELPA Personnel Handbook Policies (not included in Local Plan) (*First Reading*)

BACKGROUND:

- It came to my attention that some of our SELPA personnel policies lack clarity and/or are outdated.
- I have updated the following policies for the Board's review and approval:
 - Evaluation
 - Longevity
 - Step Advancement
 - Family and Medical Leave
 - Personal Illness and Injury Leave
 - Personal Necessity Leave
 - Vacation Leave
- These are policies that are not required to be included in the Local Plan and will be maintained in a SBCSELPA Personnel Handbook.

FISCAL IMPACT: No fiscal impact.

RECOMMENDATIONS:

I recommend that the Board approve the SELPA personnel policies as set forth.

JB:lf

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL - Evaluation

The Santa Barbara County SELPA will provide a systematic evaluation format for classified personnel.

All SELPA classified employees shall be evaluated by their immediate supervisor in accordance with the following schedule:

1. Probationary employees – at the end of the second and fifth month. For purposes of this policy, a probationary employee is defined as an employee who has completed less than six (6) months of employment.
2. Permanent employees – once each year, after the first year of employment, one month prior to the anniversary date for purposes of salary step advancement and every two years thereafter. For purposes of this policy, a permanent employee is defined as an employee who has successfully completed six (6) months of probationary employment.
3. For employees who were hired previous to July 1, 1986, their anniversary dates will be July 1.
4. Performance evaluation reports shall be made in writing and shall be prepared by the SELPA Director.
5. The SELPA Director shall present the performance evaluation to the employee and shall discuss it with him/her. The SELPA Director will make recommendations for performance improvement, if needed. The employee shall have the right to refute, in writing, any evaluation. The evaluation report shall be signed by the employee to indicate receipt, not necessarily agreement with the report and he/she shall be given a signed copy.
6. A signed copy of the performance evaluation report shall be filed in the classified employee's personnel file.
7. Special performance evaluations may be made at any time at the discretion of the employee's supervisor. Procedures in making special evaluations shall be the same as for the regular performance evaluations.

If any employee does not believe that the above procedure, as provided in this Article, was followed in his/her evaluation, then the employee may, within ten (10) days of the employee's receipt of the evaluation, request a conference with the SELPA Director to discuss the procedural problem. The decision of the SELPA Director shall be final.

DATE APPROVED: February 12, 1987

DATE REVISED: May 5, 2003

DATE REVISED: _____

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL - Longevity

A classified employee employed by the SELPA prior to the effective date of this policy shall be eligible for two (2) percent longevity pay after being at the top step of the salary scale for three (3) years. *A classified employee must have been employed by the SELPA for a period of six (6) years to be eligible.*

If a classified employee has reached the top step prior to a promotion or reclassification, eligibility shall be from the date the top step was reached.

~~A classified employee must have been employed by the SELPA for a period of six (6) years to be eligible.~~

Only those classified employees who are covered by the regular five-step salary schedule are covered by this longevity program.

Following a period of six (6) years of employment and having been at the top step of the salary scale for three (3) years Every three (3) years a classified employee will be eligible for an additional two percent (2%) longevity increase *every three (3) years*, not to exceed a total of ten percent (10%).

Longevity pay shall be in addition to the classified employee's regular rate of pay.

Classified employees shall have the right to request of the SELPA that a position be studied for possible reclassification as a result of gradual accretion of duties being performed by the incumbent in such position or positions. Such requests will include the information believed to justify the request(s).

DATE APPROVED: November 10, 1988

DATE REVISED: May 5, 2003

DATE REVISED: _____

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL – Step Advancement

Probationary classified employees may be advanced to the next higher step in the salary range for their job class on the first day of the pay period following successful completion of one year of employment ~~the probationary period~~ upon the written recommendation of the SELPA Director and the approval of the JPA Board. The effective date of the salary advancement shall become the classified employee's new anniversary date for purposes of salary step advancement.

Permanent classified employees shall be advanced to the next higher step in their salary range annually on their anniversary date as described above ~~(or annually from date of employment in the event that the step increase was not granted at the time permanent status was granted)~~, provided that their services are satisfactory and determined by the last performance report. The effective date of such step increase shall be the first day of the pay period following the date upon which the increase is granted.

DATE APPROVED: November 10, 1988

DATE REVISED: _____

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREASELPA PERSONNEL – Family and Medical Leave

Pursuant to federal and state statutes regarding family and medical leave, SELPA certificated and classified staff may obtain up to twelve weeks of unpaid leave with paid medical benefits for any of the following circumstances:

1. The birth of the employee's child or to care for the employee's newborn;
2. The placement of a child with the employee in connection with adoption or foster care;
3. Leave to care for the employee's child, parent, or spouse who has a serious health condition; or
4. Leave because of a serious health condition that renders the employee unable to perform the functions of his/her position.

SELPA employees are eligible for leave who:

1. Have been employed for at least twelve months, and
2. Have been employed for at least 1,250 hours during the twelve-month period immediately preceding the beginning of the leave.

Full time certificated employees are deemed to have met the 1,250 hour test if they have been employed for a full school year immediately preceding the beginning of the leave.

The duration of the leave is up to twelve workweeks during any twelve-month period. If both spouses are employed by the SELPA, leave connected with childbirth or adoption or foster care is limited to an aggregate of twelve workweeks for both employees.

DATE APPROVED: _____ (4/22/03)

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL - Personal Illness and Injury Leave

Personal illness or injury leave is the authorized absence of a classified employee because of illness, injury, exposure to contagious disease, or the obtaining of medical or dental services.

Full-time classified employees shall be entitled to one (1) day of leave with full pay for each month in paid status during each year for purposes of personal illness or injury. Classified employees who work less than full-time shall be entitled to that portion of the leave as the number of hours for a full-time SELPA employee in a comparable position.

Payment for sick leave shall be at the employee's regular rate of pay.

On July 1 of each year, each classified employee's sick leave accrual shall be increased by the number of hours of fully paid sick leave which s/he would normally earn in the ensuing fiscal year. A classified employee's sick leave accrual shall be adjusted if a change of assignment alters the amount of sick leave earnable, but used leave will be deducted from the final check of any classified employee upon termination of employment.

If a classified employee does not utilize the full amount of earned sick leave as authorized in the section of personnel injury and illness leave in any school year, the amount not utilized shall be accumulated from year to year, without limit.

Sick leave may be taken at any time, provided that new classified employee with probationary status only may use a maximum of six (6) days of paid sick leave during his/her initial probationary period. The minimum amount of sick leave which may be taken shall be thirty (30) minutes.

In order to receive compensation while absent on sick leave, a classified employee must notify the SELPA Director or Coordinator his/her supervisor of his/her absence within the first working hour of the first day absent, unless conditions make notification impossible. The burden of proof of impossible conditions shall be on the classified employee.

~~At least one day prior to his/her expected return to work, the classified employee shall notify his/her supervisor in order that any substitute employee may be terminated. If the classified employee fails to notify his/her supervisor and both the classified employee and the substitute report, the substitute shall be entitled to the assignment and the classified employee shall not receive pay for that day.~~

After five (5) consecutive days absence or frequent reoccurrence of the same illness, the SELPA Director may require a classified employee to present a medical doctor's certificate verifying the personal illness or injury and/or a medical authorization to return to work. The SELPA Director may require the classified employee to be examined by a SELPA appointed physician at SELPA expense.

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL - Personal Illness and Injury Leave (*Continued*)

Each classified employee shall be notified of accumulated personal illness and injury leave no later than November 15 of each year.

Permanent classified employees shall be credited with one hundred (100) working days of paid sick leave, including days to which s/he is entitled as regular accumulated sick leave, on July 1 of each fiscal year.

Such days of paid sick leave, in addition to the regular accumulated sick leave, shall be compensated at not more than fifty percent (50%) of the classified employee's regular salary.

DATE APPROVED: November 10, 1988

DATE REVISED: May 5 2003

DATE REVISED: _____

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL – Personal Necessity Leave

A full-time SELPA certificated or classified employee, with advance permission whenever possible from the SELPA Director ~~immediate supervisor~~, may use up to seven days per fiscal year from his/her accumulated sick leave for reasons due to personal necessity or emergency. If advance permission is not possible, the employee must notify the SELPA Director ~~his/her immediate supervisor~~ within the first working hour in order to receive compensation while absent on personal necessity leave.

Personal necessity leave may be used only for the following reasons:

1. Death of a member of his/her immediate family, as defined below, when additional leave is required beyond that provided under Bereavement Leave.
2. Accident, involving his/her person or property of a member of his/her "immediate family."
3. Death of a close personal friend or a member of his/her family not defined as "immediate member of the family."
4. Appearance in court as a litigant; or as a witness under an official order.
5. Observance of a religious holiday.
6. Matters related to adoption/paternity.

The immediate family is defined as:

"Member of the immediate family" means the mother, father, stepmother, stepfather, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee; and the spouse, son, son-in-law, daughter, daughter-in-law, brother, sister brother-in-law, sister-in-law, or stepchild of the employee or any relative living in the immediate household of the employee.

A full-time SELPA employee may use up to five days of sick leave per school year for leave for compelling personal importance. The days actually used, together with any leave taken as personal necessity leave, shall not exceed seven days in any single year.

DATE APPROVED: June 2, 2003

DATE REVISED: _____

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL – Vacation Leave

All probationary and permanent classified employees shall earn paid vacation benefits which shall be earned on a fiscal year basis, July 1 to June 30 in accordance with this policy.

1. Vacation may, with approval of the SELPA *Director*, be taken any time during the year.
2. A classified employee may carry over, at his or her election, one year's earned vacation to the next fiscal year. The total accumulation may not exceed more than twice the earned vacation to which a classified employee is entitled at any point in time.
3. Earned vacation shall not become a vested right until the completion of the probationary period.
4. A classified employee may be granted vacation during the year, even though not earned at the time vacation is taken.
5. If a classified employee is terminated and has been granted vacation which was not yet earned at the time of termination, the SELPA shall deduct from the classified employee's severance check the full amount of salary which was paid for any unearned vacation taken.
6. Upon separation from service, the classified employees shall be entitled to lump sum compensation for all earned and unused vacation, except the classified employees who have not completed six (6) months of service in regular status shall not be entitled to such compensation.
7. ~~Vacation schedules shall be prepared by the SELPA.~~ Every effort shall be made to enable vacation to be taken at times convenient to the classified employee we, consistent with the needs of the SELPA *Director*, and the workload of the department. *Classified employees shall request vacation at least five (5) working days prior to the start of the desired vacation time, except in cases of unforeseen circumstances. The SELPA Director shall respond to the employee's request for vacation within five (5) working days of receipt of the request.*
8. The rate of pay at which vacation time shall be paid shall be the classified employee's current rate of pay. A classified employee whose vacation is earned and begun under a given status shall suffer no loss of earned vacation credit by reason of subsequent changes in conditions of employment during the vacation.

SANTA BARABARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

SELPA PERSONNEL – Vacation Leave (Continued)

9. A classified employee who becomes ill shall immediately notify the SELPA Director and shall make arrangements for the rescheduling of his/her vacation in accordance with this Article policy. Upon proper notification to the SELPA Director, the classified employee will be put on illness leave or injury leave. The burden of proof for illness shall be the classified employee's and the SELPA Director may require proof of such illness or injury leave prior to such leave being granted.
10. Holidays which occur during a classified employee's vacation period shall not be charged against the classified employee's accumulated vacation time.
11. Classified employees will be notified annually of their accumulated vacation.
12. Any classified employee whose compensation is fixed by the month and who is employed on a twelve-month basis shall earn annual vacation in accordance with the following schedule:

During six-month probationary period – none. Upon attainment of permanent status, six (6) days of vacation shall be credited to the employee.

Permanent employee, first through fifth years of service: vacation time shall be earned and accumulated at the rate of one day of vacation for each month of service.

Commencing with the sixth year through the tenth year of service, vacation time shall be earned and accumulated at the rate of 1.25 days of vacation for each month of service not to exceed (15) days per year.

Commencing with the eleventh year of service through the seventeenth year of service, vacation shall be earned and accumulated at the rate of 1.67 days of vacation for each month of service, not to exceed twenty (20) days per year.

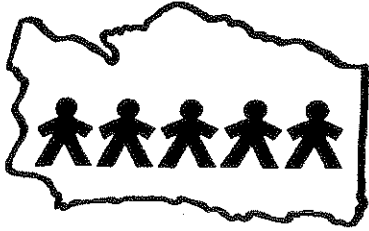
Commencing with the eighteenth year of service, vacation shall be earned and accumulated at the rate of 2.09 days of vacation for each month of service, not to exceed twenty-five (25) days per year.

Hourly employees and all other employees who work less than twelve (12) months per year shall be entitled to a proportionate share of the vacation benefits outlined above.

DATE APPROVED: July 26, 1983

DATE REVISED: November 10, 1988

DATE REVISED: _____



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010
To: SBCSELPA JPA Board
From: Jarice Butterfield, SELPA Director
Re: Local Plan Policy 6208 Independent Education Evaluation (IEE) (*First Reading*)

BACKGROUND:

State and federal regulations (CFR 300.52) allow education agencies to set agency criteria related to costs and locations of assessors. It was recently brought to my attention that our cost criteria in the areas of psychoeducational cognitive and neuropsychological evaluations are low. A SELPA attorney advised me to call private psychologists around the Tri Counties area to determine what the going rates for private assessment are. Based on this research, I propose the updated recommendations to the allowable costs in the two areas of assessment referenced above.

FISCAL IMPACT: There may be a fiscal impact for LEAs that get IEE requests in the areas of psychoeducational cognitive and neuropsychological assessment ranging from \$500.00 to \$3,500.00.

RECOMMENDATIONS:

I recommend that the Board approve Local Plan Policy 6208 as amended to increase the allowable costs for IEEs in the areas of psychoeducational cognitive and neuropsychological assessment.

JB:lf

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

500 SPECIAL EDUCATION - INSTRUCTION

6200 ASSESSMENT

6208 Independent Educational Evaluations *(Continued)*

The LEA shall define the nature and scope of an independent examiner's in-class observations consistent with the right to an equivalent opportunity to observe, but also consistent with its obligations to prevent unnecessary disruption in the class and to protect the privacy interests of other students. These parameters may include, but are not limited to, identifying the time constraints of such observation, district personnel who will participate in the observation and restrictions on student/teacher interactions.

Location Limitations for Evaluators

Evaluators must be located within the boundaries of Santa Barbara, Ventura or San Luis Obispo Counties. Evaluators outside of this area will be approved only on an exceptional basis by the LEA/district if the parents or the LEA can demonstrate there is a unique need for a specialized evaluation and that there are no qualified evaluators within the specified area who can appropriately assess their child's educational needs.

Cost Limitations for Evaluations

The cost of an IEE shall be comparable to those costs that the LEA incurs when it uses its own employees or contractors to perform a similar assessment. Costs include: observations, record review, administration and scoring of tests, report writing, and attendance in person or by phone at an IEP Team meeting. Reimbursement will be in an amount no greater than the actual cost to the parent and will be subject to proof of payment. The following cost limitations have been agreed upon and set forth by the governing (JPA) Board of the Santa Barbara County SELPA:

I.	Academic Achievement	\$ 500.00 Full
II.	Adaptive Behavior	\$ 500.00
III.	Assistive Technology	\$ 800.00
IV.	Autism/Behavior (ABA) (includes observation, data collection, etc.)	\$1,500.00
V.	Autism/Behavior (Full BCBA level FAA behavior analysis) All Costs Inclusive	Up to \$2,500.00
VI.	Auditory Acuity or Perception	\$ 300.00
VII.	CAPD (Central Auditory Processing)	\$1,500.00
VIII.	Cognitive Functioning	\$1,000.00 <u>\$1,500.00 - \$3,000.00</u> <i>(depending on the experience and licensure of the professional)</i>
<u>IX.</u>	<u>Neuropsychological Assessment</u> w/neuropsych testing)	\$2,500.00 - <u>\$3,500.00</u> <i>(depending on the experience and licensure of the professional)</i>
<u>X.</u>	IX. Occupational Therapy (fine/gross motor skills)	Up to \$1,000.00
<u>XI.</u>	X. DHOH (Deaf and Hard of Hearing)	Up to \$2,500.00

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

500 SPECIAL EDUCATION - INSTRUCTION

6200 ASSESSMENT

6208 Independent Educational Evaluations (*Continued*)

<u>XII.</u> XI. Speech & Language	\$ 1,000.00
<u>XIII.</u> XII. Social-emotional	\$ 750.00
<u>XIV.</u> XIII. Visual Processing	\$ 350.00

When insurance will cover all or partial costs of the IEE, the LEA will request that the parent voluntarily have their insurance pay the IEE costs covered by their insurance. However, parents will not be asked to have insurance cover independent evaluation costs if such action would result in a financial cost to the parents including, but not limited to the following:

- a. A decrease in the available lifetime coverage or any other benefit under an insurance policy;
- b. An increase in premiums or the discontinuance of the policy; or
- c. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim unless the parent is willing to have the LEA reimburse them for the amount of the deductible.

As part of the contracted evaluation, independent evaluators must:

- attend relevant IEP Team meetings by phone or in person to discuss their findings
- provide protocols of the assessments, and
- provide a written report prior to the IEP Team meeting.

The written report must meet the requirements of the Individuals with Disabilities Education Act and California Education Code Section 56327.

Minimum Qualifications for Evaluators

Evaluators must meet qualifications specified in ed code or they will not be approved unless the parent can demonstrate the appropriateness of using an evaluator meeting other qualifications. (E.C. 56320(b)(3); E.C. 56329)

2010-11 Year To Date SELPA Legal Fees (Allocation to Districts)

	2009-10 Carryover Funding	2010-11 Allocation	Expended to Date 2010-11	Balance
Carpinteria	\$ 5,446.75	\$ 5,782.00	\$ 4,981.25	\$ 6,248
Family Partnership Charter	\$ 10,000.00	\$ 919.00	\$ -	\$ 10,919
Goleta	\$ 32,816.00	\$ 8,299.00	\$ -	\$ 41,115
Guadalupe	\$ 10,000.00	\$ 2,580.00	\$ -	\$ 12,580
Hope	\$ 7,148.50	\$ 2,661.00	\$ -	\$ 2,661
Lompoc	\$ 48,781.81	\$ 23,845.00	\$ -	\$ 72,627
Orcutt	\$ 240.00	\$ 10,934.00	\$ -	\$ 11,174
Santa Ynez Valley Consortium	\$ 26,525.00	\$ 6,032.00	\$ 2,378.0	\$ 30,179
SBCEO - Direct Service	\$ 60,000.00	\$ 5,367.00	\$ -	\$ 65,367
Santa Barbara Elem.	\$ (63.50)	\$ 13,165.00	\$ -	\$ 13,102
Santa Barbara High	\$ 1,382.00	\$ 22,798.00	\$ 1,420.25	\$ 22,760
Santa Maria JUHSD	\$ 70,967.00	\$ 17,159.00	\$ -	\$ 88,126
Santa Maria-Bonita	\$ 120,990.50	\$ 30,459.00	\$ -	\$ 151,450
	\$ 394,234.06	\$ 150,000.00	\$ 8,779.50	\$ 535,455

2010-11 YEAR TO DATE SELPA LEGAL FEES (RESERVE)YTD Expenditures
General SELPA

July	\$	1,063.93
August	\$	-
September	\$	10,839.67
October	\$	1,287.25
November		
December		
January		
February		
March		
April		
May		
June		
TOTAL	\$	13,190.85
ENDING BALANCE	\$	311,809.15

DISTRICT 71		SANTA BARBARA SELPA		FUND 01 General Fund		PERIOD ENDING 09/30/10	
FOR MONTH OF SEPTEMBER							
OBJECT	DESCRIPTION	BEG BALANCE/ ADJ. BUDGET (1)	CURRENT TRANSACTIONS (2)	YEAR-TO-DATE TRANSACTIONS (3)	ENCUMBRANCES (4)	BALANCE AVAILABLE (5)	PERCENT REMAINING (col. 5/1)
9110	CASH IN COUNTY TREASURY	3,159,440.59	279,753.62	105,286.60-	.00	3,054,153.99	
9111	INVESTMENT VALUATION ADJUSTMNT	.00	.00	.00	.00	.00	
912X	CASH IN BANKS	.00	.00	.00	.00	.00	
913X	REVOLVING CASH FUND/FISCAL AGT	.00	.00	.00	.00	.00	
914X	CASH AWAITING DEPOSIT	.00	.00	.00	.00	.00	
915X	INVESTMENTS	.00	.00	.00	.00	.00	
92XX	ACCOUNTS RECEIVABLE	991,439.48	991,439.48-	991,439.48-	.00	.00	
931X	DUE FROM OTHER FUNDS	.00	.00	.00	.00	.00	
932X	STORES	.00	.00	.00	.00	.00	
933X	PREPAID EXPENSE	.00	.00	.00	.00	.00	
934X	OTHER CURRENT ASSETS	.00	.00	.00	.00	.00	
9XXX	FIXED ASSETS	.00	.00	.00	.00	.00	
	TOTAL ASSETS	4,150,880.07	711,685.86-	1,096,726.08-	.00	3,054,153.99	
95XX	ACCOUNTS PAYABLE	1,147,625.94	1,147,625.94-	1,147,625.94-	.00	.00	
961X-962X	DUE OTHER FUNDS/AGENCIES	.00	.00	.00	.00	.00	
964X	CURRENT LOANS	.00	.00	.00	.00	.00	
965X	DEFERRED REVENUE	.00	.00	.00	.00	.00	
96XX	OTHER LIABILITIES	.00	.00	.00	.00	.00	
	TOTAL LIABILITIES	1,147,625.94	1,147,625.94-	1,147,625.94-	.00	.00	
	FUND BAL (BEG.BAL/ACTUAL)	3,003,254.13				3,054,153.99	
9791-9799	NET BEGINNING BALANCE	3,003,254.13	.00	3,003,254.13	.00	3,003,254.13	
8010-8099	REVENUE LIMIT SOURCES	.00	.00	.00	.00	.00	0.00
8100-8299	FEDERAL REVENUE	4,291.00	3,705.00-	3,705.00-	.00	7,996.00	186.34
8300-8599	STATE REVENUE	41,329.00	28,390.64-	539,072.43	.00	497,743.43-	0.00
8600-8799	LOCAL REVENUE	1,374,647.00	457,121.95	237,368.00-	.00	1,612,015.00	117.27
8910-8999	OTHER SOURCES	.00	.00	.00	.00	.00	0.00
	TOTAL REVENUE	1,420,267.00	425,026.31	297,999.43	.00	1,122,267.57	79.02
1000-1999	CERTIFICATED SALARIES	307,130.00	38,967.90	66,072.26	.00	241,057.74	78.49
2000-2999	CLASSIFIED SALARIES	123,408.00	10,124.00	30,372.00	.00	93,036.00	75.39
3000-3999	EMPLOYEE BENEFITS	121,534.00	13,118.64	24,792.19	.00	96,741.81	79.60
4000-4999	BOOKS AND SUPPLIES	194,278.00	72,789.91-	12,325.24	.00	181,952.76	93.66
5000-5999	SERVICES, OTHER OPERATING EXP.	800,182.00	7,004.60	113,537.88	.00	686,644.12	85.81
6000-6999	CAPITAL OUTLAY	1,725.00	6,289.00-	.00	.00	1,725.00	100.00
7000-7299	OTHER OUTGO	30,000.00	1,050.00-	.00	.00	30,000.00	100.00
7300-7399	DIRECT SUPPORT/INDIRECT COSTS	.00	.00	.00	.00	.00	0.00
7410-7499	OTHER OUTGO	.00	.00	.00	.00	.00	0.00
7610-7699	OTHER USES	.00	.00	.00	.00	.00	0.00
	TOTAL EXPENSE	1,578,257.00	10,913.77-	247,099.57	.00	1,331,157.43	84.34
9711-9790	FUND BAL (BUDGET/ACTUAL) COMPONENTS OF ENDING BALANCE	2,845,264.13		3,054,153.99			

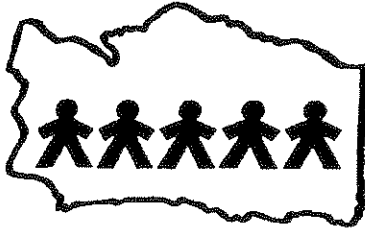
2010-11

Nonpublic School Placement Costs

District	# Students	Mental Health Placements		Non-Mental Health Placements	
		Total SELPA Paid	70% of Placement	Total SELPA Pays	70% of Placement
Lompoc Unified - Mental Health Placement	1	\$ 6,036.14			
Santa Barbara High - Non Mental Health Placements	1		\$ 29,130.00		
Santa Barbara High - Mental Health Placements	1	\$ 11,907.00			
Orcutt - Non Mental Health Placements	1		\$ 13,509.40		
Orcutt - Mental Health Placements	1	\$ 5,772.64			
Santa Ynez Consortium - Mental Health Placements	1	\$ 3,909.24			
TOTAL	6	\$ 23,715.78	\$ 42,639.40		

Mental Health Placements = Students placed through the Mental Health 26.5 process. Mental Health pays the residential and Mental Health portion of these placements and SELPA pays the costs for the education services, 1/3 of the total placement cost.

Non-Mental Health Placements - Students in these placements are fully paid by the SELPA office with 30% of the costs being billed back to the district at year-end. These are placements that are made through Settlement Agreements for students who do not qualify for Mental Health 26.5 services.



Santa Barbara County
Special Education Local Plan Area
A Joint Powers Agency

Date: November 1, 2010

To: SBCSELPA JPA Board

From: Jarice Butterfield, SELPA Director

Re: Governor Schwarzenegger's Veto on Mental Health AB3632 Services / Potential MOU with Santa Barbara County Alcohol, Drug, and Mental Health Services

BACKGROUND:

- On October 8, 2010, Governor Schwarzenegger used his line item veto authority to eliminate \$133 million for mental health services for special education services.
- I sought a legal opinion to see what the impact of this veto is on the current three year contract SBCEO has with Santa Barbara County Alcohol, Drug, and Mental Health Services (ADMHS) to provide AB3632 services. The attorney advises that SBCEO amend their financial contract with ADMHS and that SELPA revise their current MOU in the interim of this legal situation being resolved.
- ADMHS is no longer mandated to provide AB3632 mental health services to students in the SBCSELPA unless we engage in a contract to utilize their services in this capacity. If we do not engage in a contract with ADMHS, the SBCSELPA is left in a very vulnerable position since we have five students placed in nonpublic schools through AB3632 and many other students receiving direct services and medication management through Mental Health AB3632.
- ADMHS has never exceeded the Federal IDEA funding provided for mental health services, so they have not had to utilize any of the state funding that has been suspended.
- ADMHS has indicated that AFDC (county welfare department) will continue to provide funding for the residential component of NPS residential placements for students who are emotionally disturbed (ED).
- SBCEO will be engaging in an amended contract with ADMHS in the near future in order to ensure services to students continue.

JB:lf

**GIRARD
EDWARDS
& HANCE**

ATTORNEYS AT LAW

October 11, 2010

LEGAL ALERT**GOVERNOR USES LINE ITEM VETO TO ELIMINATE FUNDING FOR
MENTAL HEALTH SERVICES FOR SPECIAL EDUCATION STUDENTS**

On October 8, 2010, Governor Schwarzenegger used his line item veto authority to eliminate \$133 million for mental health services for special education students. In doing so, the Governor stated that the state mandate requiring county mental health agencies to provide mental health services to special education students (AB 3632, Ch. 1747, Stats. 1984; Ch. 654, Stats. 1996) is suspended. This action is likely to undergo legal challenges given that the law itself has not been repealed. Moreover, federal law (the Individuals with Disabilities Education Act) requires that mental health services be provided to special education students who need such services. This could mean that counties may no longer be responsible for providing these mental health services, and the responsibility may fall back on school districts. The timing or the manner in which this sweeping change may occur is unknown. Please be aware that this action is likely to have a significant impact on special education students with mental health needs.

For more information on this action, please feel free to contact Heather Edwards at (916) 204-8007 or edwards@girardedwards.com.

1121 L Street, Suite 510
Sacramento, CA 95814
Tel: (916) 204-8007
Fax: (916) 440-6062

5767 Green Valley Road
Placerville, CA 95667
Tel: (530) 295-2235
Fax: (530) 642-1832

4425-C Treat Blvd.
Ste. 196
Concord, CA 94521
Tel: (925) 429-1533
Fax: (925) 825-8466

DAVID W. GIRARD
HEATHER M. EDWARDS
BENJAMIN A. HANCE

Of Counsel
L. THOMAS NEWCOMB