

SANTA BARBARA COUNTY SELPA LOCAL PLAN

SECTION 13

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS FACILITIES

Facilities Policies 3701 - 3702

(Revised 5-4-2020)

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- 3000 BUSINESS AND NON-INSTRUCTIONAL OPERATIONS
- 3700 FACILITIES
- 3701 Facilities Plan for Housing Regional Special Education Programs

The districts that comprise the Santa Barbara County SELPA (SBCSELPA) are committed to the provision of special education services to all individuals with exceptional needs in the least restrictive environment as required by State and Federal law. Accordingly, the Facilities Plan described below for housing special education special day class regional programs is intended to foster the following principles:

- enhance special education students' ability to mainstream with age appropriate peers
- provide opportunities for special education students to participate in school and community activities
- assure that special education students receive the services specified in their IEPs in classrooms located as close to home as possible

Each school district accepts the ultimate responsibility for providing classroom space for all special education students who attend district-operated special education programs. The classroom needs of all students, both general and special education, shall be considered in all decisions regarding the allocation of classroom space.

The over representation of special education classes on an individual school site will be avoided. Classrooms serving special education students should be placed on school sites in locations that promote natural opportunities for students with disabilities to participate with chronologically age-appropriate, non-disabled peers in academic, non-academic and extra-curricular activities to the maximum extent appropriate to the needs of both the special and general education students.

In addition to its responsibility to provide classroom space for special education students who reside in the district and who are enrolled in special education programs operated by the district, those districts who are served by Regional Programs will pay a portion of the cost of the classroom within the PAYGO system within the Funding Model. The calculation of the classroom costs is outlined below,

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Calculation of Regional Housing Expenses

The total number of regional classroom stations needed SBCSELPA-wide shall consist of the total number of non-itinerant regional special day classes operated on public school sites, and off campus locations including the CCS MTUs, therapy rooms, SBCSELPA and the County Education Office regional office space, and infant/preschool programs. Office space for district-operated itinerant regional program staff shall also be included in the total regional housing calculation. Each district itinerant regional FTE shall generate housing credit calculated as either the ratio of the actual space provided per FTE compared to a 960 square foot classroom station or .20 of a housing credit per FTE, whichever is less.

Regional housing costs shall include the total annual rental, lease, or lease purchase costs for County portables, district portables leased to provide space for regional classes, and district classrooms.

The SBCSELPA shall be responsible for calculating the per classroom cost. The funding for regional class housing shall be collected and distributed by the SBCSELPA office within the funding model.

An average per classroom cost for Regional Program Classrooms will be calculated and paid as follows:

I. Annual Rental Costs, Maintenance, Custodial and Utilities Costs will be collected by SBCSELPA.

Each district housing Regional Programs on their campuses will submit to SBCSELPA the annual maintenance and custodial costs per classroom using the prior year Unaudited Actuals, Indirect Cost Rate Worksheet, Section B – Base Costs, Line 8. From this figure, total utilities costs (Expenditures by Object, line 5500, Operations and Housekeeping) are deducted. Divide the remainder, after the utilities costs have been deducted, by the total number of classroom units in the district (Indirect Cost Rate Worksheet, Part 1 – Classroom Units, line C) not including County portables.

100% of the average SBCSELPA-wide cost of rent and utilities and 75% of the average public school site maintenance and custodial services will be used as a per classroom cost.

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II. Payment

The per classroom cost will be included in the Regional Program expenses for each class room and paid by the districts of residence served by the program through the PAYGO system within the funding model.

III. Credit

Districts will receive per classroom credit for each Regional class housed on their campus.

IV. In addition to the Regional Program costs, the following housing costs shall be paid off the top of AB602 Funding:

- Santa Barbara County SELPA
- Classroom space provided by a district to house a CCS Medical Therapy Unit (in 960 square foot increments) or other therapy programs.
- Santa Barbara County Related Service Staff (i.e. Special Education Technician)
- Santa Barbara County Education Office Audiologist

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Contracts for classroom space shall be for a specific classroom and shall be for a minimum of three years. Termination of contracts prior to their expiration date shall be by mutual consent of the District and the program operator. By September 1 of each year, districts shall notify the SBCSELPA and the operators of regional programs housed on their sites of their desire to reclaim classroom space for the following school year by not renewing expiring contracts for classrooms currently used for regional programs. Negotiations between operators of programs and districts for new contracts or other arrangements to provide classroom space shall be completed by May 1 of each year. Districts desiring to take over the provision of housing for an existing regional class shall take whatever steps are necessary to assure that the regional classroom, or an adequate alternative space, is ready for occupancy as of the start of the new school year.

Identification of Location for New Regional Classes

All requests to house regional classes at community based sites shall be reviewed by the SBCSELPA Executive Director and approved by the JPA Board. The SBCSELPA Executive Director may consult with special education administrators and business officials from local education agencies (LEAs) in SBCSELPA as needed, to seek input regarding such requests.

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In cases where no school district within a given geographic region volunteers to house a new regional class, the SBCSELPA Executive Director shall recommend to the JPA Board whether classroom space on a public school campus is required. The SBCSELPA Executive Director may consult with special education administrators and business officials from local education agencies (LEAs) in SBCSELPA, as needed, to seek input regarding such requests.

When a new regional class is to be opened within the SBCSELPA and a portable building is to be used to house the class, the site preparation costs shall be borne by the entity that will operate the regional program and charged as part of the regional program housing costs.

Responsibility for Regional Class Housing Costs

The local education agencies within the SBCSELPA shall seek the most cost effective alternatives for the provision of housing for students enrolled in regional programs.

Regional housing costs shall include the total annual rental, lease, or lease purchase costs for County portables, district portables leased to provide space for regional classes, district classrooms made available in excess of a district's required share of public school site classroom space, the costs of maintenance and custodial services, and utilities (excluding phone) as described below.

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The County Office and local school districts are encouraged to enter into lease purchase agreements for new portables housing regional classes rather than long term lease agreements in order to reduce the total cost of housing regional programs. When the SBCSELPA regional housing funding process is used to reimburse a district for the purchase of a portable to house a regional program, the reimbursement shall be prorated over time at a rate comparable to an annual lease rate. Under such circumstances, the district shall agree to allow the use of that portable or, with JPA Board approval, an alternative classroom, for housing a regional program for the full life of the portable building.

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When a district provides housing for a regional program(s), in exchange for receiving a housing credit, the district shall comply with the following conditions:

1. The district will include regional special day class program classroom(s) and office space when making campus-wide improvements to the school site, (i.e., wiring/technology upgrades, sinks in classroom, etc.).
2. The district shall be responsible for providing routine maintenance to regional special day class program classroom(s) and office space that are not considered major construction or deferred maintenance, (i.e., addition of an electrical socket, minor alterations, minor plumbing, etc. All other building modifications, repairs, and replacements shall be taken to the SBCSELPA Executive Director for review and for preliminary approval for funding, and then to the JPA Board for final approval.
3. The district will provide all regional special day class program classroom(s) for students with severe/profound disabilities with a sink with hot running water (as required by state health code) and accessible bathrooms. The district may request funding for the addition of sinks with hot running water and accessible restrooms. This request shall be taken to the SBCSELPA Executive Director for review and for preliminary approval for funding, and then to the JPA Board for final approval.
4. It is the responsibility of the district to provide regional special day class program classroom(s) and office space the required annual and ongoing maintenance to ensure a safe and healthy environment. The district shall be responsible for annual preparation and maintenance of regional program classroom(s) for occupancy to include: shampooing of the carpets or replacement if needed, cleaning/disinfecting, painting if needed, and other general repairs. If the classroom carpets in a County-owned portable require replacement, the district shall bring this to the SBCSELPA Executive Director for review and for preliminary approval for funding, and then to the JPA Board for final approval. With approval, as noted above, carpets may be replaced before the date of the deferred maintenance schedule for health and safety reasons.

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Responsibility for Deferred Maintenance Costs

Districts shall be responsible for the deferred maintenance costs of district-owned or district-leased buildings that house regional programs on their school sites.

The deferred maintenance costs of County-owned and/or County-leased portables housing regional programs (including trades of County portables for district classrooms) shall be a shared expense. Each year funds shall be set aside in the SBCSELPA Budget for payment of JPA Board-approved deferred maintenance projects based upon district and County Education Office submission of five-year deferred maintenance plans involving County portables. These plans shall be updated on an annual basis.

Deferred maintenance projects are specifically defined in the Education Code and are generally considered major renovations to existing buildings or land improvements. Districts shall apply the same timelines, standards and criteria for deferred maintenance upgrades for County portables housing regional programs as for their own district facilities.

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Prior to the commencement of deferred maintenance projects involving County portables, the SBCSELPA Executive Director shall review and make recommendations to the JPA Board for shared funding for such projects. The cost of deferred maintenance of County portables housing regional programs shall be borne by the district where the portable is housed in the year the expenses are incurred. Such costs shall be reimbursed by the SBCSELPA upon submission of invoices for previously Board-approved projects. The SBCSELPA Executive Director may consult with special education administrators and business officials from local education agencies (LEAs) in SBCSELPA, as needed, to seek input regarding such requests.

If additional necessary deferred maintenance repairs are discovered in the course of a JPA authorized deferred maintenance project involving a County-owned or leased portable, work on the project shall be stopped immediately pending approval of the additional costs of the project by the JPA Board. In the event that a quorum of the JPA Board is not available to approve unanticipated deferred maintenance costs, the board delegates authority to the SBCSELPA Executive Director in consultation with the JPA Board President to approve such additional costs. Reimbursement for the additional work will be provided upon review by the SBCSELPA Executive Director and JPA Board approval/ratification of the additional expense. Districts that proceed with completion of additional deferred maintenance work prior to JPA Board approval, as specified above, do so at the risk of the additional costs of the project not being reimbursed.

Moving Costs

If a district requests that a regional class or a County portable or a district owned portable housing a regional class be moved from one of its sites and this relocation is approved by the JPA Board, the district requesting the move is responsible for the costs of moving the portable and/or the classroom equipment to the new site.

If a district chooses to move a County or district owned portable to a new location within the district's boundaries, in addition to being responsible for the costs of moving the portable and classroom equipment to the new site, the district is also responsible for the costs of site preparation for the portable.

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If a district wishes to remove a County-leased portable housing a regional program from one of its sites and provide district classroom space instead to house the regional program, the district shall be responsible for any costs associated with meeting the requirements of the state's punch list. The district shall also be responsible for costs associated with removal of the portable from its site.

If a district wishes to remove a County-owned portable housing a regional program from one of its sites and provide district classroom space instead to house the regional program and the County has no need for the portable, the County will transfer ownership of the portable to the district. The district will be responsible to pay any costs associated with moving the portable from the district upon its sale. Excess funds remaining from the sale of the portable after the reimbursement to the district for any costs associated with moving the portable from the district for the sale shall be used to help offset regional housing costs SBCSELPA-wide.

If the JPA Board approves a district's request to move a regional class and/or regional class portable to another district, the costs of site preparation for a necessary portable building at the new location shall be a shared expense of all districts within the SBCSELPA.

If the JPA Board approves a regional operator's request to move a regional class and/or regional class portable in order to assure program operation in the least restrictive age appropriate environment or assure the availability of a full continuum of program options throughout the SBCSELPA, the costs of moving the portable and/or classroom equipment to the new site shall be a shared expense of all districts within the SBCSELPA. Under the specific circumstances outlined in this paragraph, the costs of any necessary building modifications at the new regional class site shall also be a shared expense.

A district shall not be required to house a new class for the upcoming school year unless it has been given a minimum of six months' notice.

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If the JPA Board approves the opening of a new regional class on a public school site for the upcoming school year after the March 1 cut off date, adjustments in the distribution of regional housing costs among the districts will be included in a prior year adjustment calculation. This calculation will become part of the regional housing expenses for the year following that in which the new regional class first opened. The housing costs of regional classes opened on public school sites after the start of the school year shall be prorated as appropriate.

If the JPA Board approves the opening of a new regional class on an off campus location after the March 1 cut off date, the total off-campus regional class expenses for the SBCSELPA will be recalculated, with districts being billed for the additional regional housing costs based upon the ADA count for the school year prior to that in which the new off campus class first opened.

Waiver of Policy Requirements

The JPA Board may approve a waiver of the requirement that a given district participate in the provision of facilities for regional classes where it is determined that the location of the district renders it inappropriate to be used as the site for regional class placement.

Dispute Resolution

Should a dispute arise between any of the SBCSELPA participants that relates to implementation of this Facilities Plan, the parties agree to meet in good faith to resolve the dispute. In the event the parties are unable to reach a mutually acceptable agreement, the matter shall be resolved using the dispute resolution procedures outlined in the SBCSELPA Local Plan.

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Other issues that may arise regarding regional class housing not specifically addressed in this policy shall be dealt with on a case-by-case basis.

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DATE REVISED: February 5, 1999
DATE REVISED: May 17, 1999
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DATE REVISED: May, 1, 2000
DATE REVISED: May 7, 2001
DATE REVISED: January 7, 2002
DATE REVISED: June 2, 2003
DATE REVISED: October 9, 2006
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DATE REVISED: September 13, 2010
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DATE REVISED: May 4, 2020

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3702 Medical Therapy Units and Satellite Facilities

School districts and the County Education Office shall, on behalf of the SBCSELPA, provide facilities for Medical Therapy Units in accordance with the provisions of Government Code 7575(d), the existing State Interagency Agreement between the California Department of Education, Division of Special Education and the State Department of Health Services, California Children Services, and the local Interagency Agreement between the Special Education Local Plan Area and the Santa Barbara County Health Care Services, and California Children Services. Operation, space, and equipment costs of Medical Therapy Units shall be included in the Administrative and Support Budget of the SBCSELPA.

Satellite facilities may be operated at the discretion of a local school district or group of school districts when there are a sufficient number of CCS eligible children for CCS to provide therapy services in a satellite program. In such cases, the SBCSELPA Executive Director shall provide coordination between the district(s) and CCS in establishing the satellite.

If a CCS satellite facility is established at the discretion of a local district or group of districts, then the local district(s) shall be responsible for all costs of operation of such a satellite facility.

If a satellite facility is established based upon identified need with the agreement of both the SBCSELPA, through JPA Board approval, and California Children Services, then the operation, space, and equipment costs of such a satellite shall be included in the Administrative and Support Budget of the SBCSELPA.

(G.C. 7575(d))

DATE APPROVED: January 3, 1984

DATE REVISED: June 2, 1995

DATE REVISED: July 13, 1998

DATE REVISED: December 9, 2002