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# Funding Allocation Plan & Procedures

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2023-24

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San Luis Obispo County  
Special Education Local Plan Area

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# Funding Allocation Plan & Procedures

San Luis Obispo County SELPA

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### INTRODUCTION

Special Education Apportionments flow from the California Department of Education (CDE) to the Special Education Local Plan Area (SELPA) Administrative Unit (AU), the San Luis Obispo County Office of Education (SLOCOE). The San Luis Obispo SELPA (SLO SELPA) allocates State and Federal funds to the thirteen member Local Education Agencies (LEAs) according to this Funding Allocation Plan, approved by the SELPA Governing Board and referenced in the Local Plan.

### SELPA MEMBER LEAs

Almond Acres Charter Academy	Atascadero Unified School District
Bellevue Santa Fe Charter School	Cayucos Elementary School District
Coast Unified School District	Lucia Mar Unified School District
Paso Robles Joint Unified School District	Pleasant Valley Joint Unified Elementary School District
San Luis Coastal Unified School District	San Luis Obispo County Office of Education
San Miguel Joint Unified School District	Shandon Joint Unified School District
Templeton Unified School District	

### GUIDING PRINCIPLES

The funding plan was revisited by representatives from each of the members within the San Luis Obispo County SELPA. The intent of the plan is to provide an equitable distribution of resources based on consensus of all members and with the recognition that each has a responsibility to all students served by the SELPA, regardless of where the student is enrolled. Additionally, the revised plan attempts to be clear and specific, with allocations that have a direct and identifiable rationale. The allocations also include a level of predictability to allow members to accurately predict the impact of changes in their enrollment or pupils identified for special education services. The guiding principles of this plan are to:

- Ensure equitable distribution of expenses based on regional program usage by LEAs.
- Provide a method for Regional Program Consumers to verify approximate costs of accessing regional programs and services.
- Protect the small LEAs against unusual occurrences.
- Provide protection to Regional Program Providers from significant declining enrollment by ensuring a year and a day notification to the Regional Program Provider when a Regional Program Consumer intends to discontinue use of programs or services.
- Disallow the return of transferred classes for a period of three years. Classes will be transferred under circumstances by mutual agreement.
- Provide the Regional Program Provider flexibility to hire, release staff and design programs.
- Require predictable expenses charged for regional programs and services throughout the county.
- Ensure that specialized regional classrooms may contract for higher level of classroom/facility cleaning.

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- Protect the LEAs with extremely high needs.
- Ensure that all the LEAs have access to a continuum of service options.
- Ensure that the LEAs share in the challenges and costs for providing a continuum of special education services that are required for students within the SELPA.

### ALLOCATION OF FUNDS TO THE LEAS

The state formula, which includes state and local revenues (special education property taxes), is used to estimate revenue. State formula special education funds received on behalf of the SELPA are distributed after direct allocations to SELPA and SELPA member LEAs based on the Average Daily Attendance year used in the state formula to generate the special education funds being distributed.

### DIRECT ALLOCATIONS

- ADR Federal Grant
- Alternative Dispute Resolution (ADR)
- California Children's Services (CCS) equipment and supplies
- COE Retiree Health Benefits
- Direct Allocation to the Smalls
- Infant Funding
- LEA High-Cost Pool
- Low Incidence Support, Equipment, Materials, and Services
- Medi-Cal Administrative Activities (MAA)
- Non-Public School (NPS) Pool
- Ombudsperson / ADR Consultants
- Other Post Employee Benefits (OPEB)
- Portion of Preschool IDEA grant
- Preschool Staff Development
- Program Specialist – 2.0 FTE
- SELPA Administrative Budget
- SELPA Coordinator – 1.0 FTE
- SELPA Executive Director – 1.0 FTE
- Special Education Information System (SEIS)
- WorkAbility 1
- We Can Work

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Direct Allocations-General 2023-2024							
PURPOSE	AGENCY	APPROVED AMOUNT	RESOURCE	FUNDING SOURCE	COLA	FUNDING CALC/RATIONALE	NOTES
SELPA Administrative Budget	SELPA	\$691,991	6500	State AB 602	Yes	Includes PS/RS apportionment. Adjusted annually by COLA.	
Ombudsperson	SELPA	\$32,000	6500 (D2: 4701)	State AB 602	Annual Review	\$30,000 contracted services	\$2,000 from SELPA Admin budget to cover mileage
ADR allocation (not a grant)	SELPA	\$15,000	6500	State AB 602		Funds allocated to SELPA for ADR-related work	Exclusive of the ADR grant (resource 3395)
OPEB Retiree Benefits-SELPA Salaries	SLOCOE	\$20,000	6500	State AB 602			Offset for lifetime retirees
Special Education Information System platform (SEIS)	San Joaquin County Office of Education	\$46,198	6500	State AB 602	Annual Review	Electronic IEP database access for LEAs	Full cost subject to triannual contract with San Joaquin COE
SELPA Executive Director	SELPA	\$227,212	6500	State AB 602	No	Based on actual salary and statutory benefits.	Based on 2023-24 Salary & Benefits Projection
SELPA Coordinator	SELPA	\$117,178	6500	State AB 602	No	Portion of actual salary and statutory benefits. Adjusted annually for step/column	Additional \$65,912 is funded by ERSESS; based on Salary & Benefit Projection
COE Retiree Benefits	COE Special Ed staff retirees	\$279,216 estimated	6500	State AB 602	No	Amount is estimated; actual cost is determined EOY. All SELPA grants are excluded from this calculation	Annual pay-as-you-go costs for health benefits of retirees still subject to lifetime benefits
High Cost Pool	LEAs reimbursed by application and approval	\$300,000	6500	State AB 602	Annual Review	Subject to rollover of unused amounts, all LEAs contribute to the pool based on pro-rata ADA formula	For unanticipated expenses
NPS Pool	LEA reimbursement	\$175,359	6500	State AB 602	Annual Review	Prorated. Subject to roll over for unused funds.	Reimburses 50% or less of basic education costs for any SWD.
California Children's Services (CCS)	CCS	\$2,000	6500 D2:1515	State AB 602	Annual Review	Materials and Supplies only	No roll over from year to year
Community Advisory Committee	SLO SELPA CAC	\$1,500	9260	State AB 602	Annual Review	Events and supporting materials	No roll over from year to year

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Direct Allocations-Calculated by State-Low Incidence 2023-2024							
PURPOSE	AGENCY	APPROVED AMOUNT	RESOURCE	FUNDING SOURCE	COLA	FUNDING CALC/RATIONALE	NOTES
Portion of Audiologist's Salary & Benefits	SLOCOE	0.20 FTE	6500	State-Low Incidence (D2: 7600)	Annual Review	Estimated: Audiologist 0.05 FTE (\$4,063.12) Program Specialist 0.15 FTE (\$16469.44)	Position changed to combined Program Specialist/Audiologist for 2023-24.
Portion of Physical Therapist's Salary & Benefits	SLOCOE	0.20 FTE	6500		Annual Review	Estimated: PT 0.20 FTE (\$22,786)	Approved April 2022.
Administrative Support	SELPA	0.08 FTE	6500		Annual Review	Originally based on amount of time spent supporting LI	
Low Incidence Equipment Pool	LEAs	\$125,000	6500		Annual Review	Based on the highest cost year over the last 3 years. Subject to roll over for unused funds	Approved IEP related equipment is pro-rated and reimbursed from the allocated pool.
Braille Services	SLOCOE	\$10,000	6500		Annual Review	Based on 21-22 amount from vendor invoice	Contracted outsource braille transcription
Braille-Textbooks	SLOCOE	\$80,000	6500		Annual Review	Based on projections and known expenditures	Based on Student need. Subject to roll over for unused
Canes	SLOCOE	\$660	6500		Annual Review	Based on SELPA LI Procedures Guide	Increased based on prior year actual costs/student need
Materials, maintenance, repairs	SELPA	\$5,000	6500		Annual Review	Created to show transparency in current practices with LI surplus items	Established in 22-23 to account for LI related expenditures
Low Incidence-Per Student Allocation	LEAs	Fund Balance of \$749,816.	6500		Annual Review	Proration of fund balance allocated based on eligible student count from prior year census.	Funding generated by infants (0-3) allocated to SLOCOE

Educationally Related Social Emotional Supports and Services (ERSESS) - Bill Backs from LEAs 2023-2024							
PURPOSE	AGENCY	APPROVED AMOUNT	RESOURCE	FUNDING SOURCE	COLA	FUNDING CALC/RATIONALE	NOTES
SELPA Coordinator	SELPA	\$65,912	6546	State Mental Health Funds	Annual Review	0.36 FTE (1.6 days/week)	Out of County placements
SELPA Mental Health Therapist	SELPA	\$140,836	6546		Annual Review	Generated by small LEA's ADA	Mileage, cell phone stipend & materials
Mental Health Therapists	SLOCOE for Chris Jespersen	\$200,000	6546		Annual Review	Subsidizes cost for 2 MHTs	Balance charged to placing LEAs
SELPA Admin Support	SELPA	\$10,000	6546		Annual Review	Supports admin expenses	Coordinator travel, mileage

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Direct Allocations- Grants 2023-2024							
PURPOSE	AGENCY	APPROVED AMOUNT	RESOURCE	FUNDING SOURCE	COLA	FUNDING CALC/RATIONALE	NOTES
SELPA Operations	SELPA	.30 FTE Program Specialist, .375 FTE clerical, cell phone stipend and indirect costs	3310 3315	IDEA-Federal	Yes		SELPA carves out Preschool based on the 2017-18 %age of 3315 preschool revenue, 12%, with funds allocated to districts based on prior year total district enrollment
Preschool Staff Development	SELPA	\$2,229	3345	IDEA-Federal	No	GAN 22-23 amount	Curriculum and/or PD for preschool programs
Medi-Cal Admin Activities (MAA)	SELPA		9052		No	Generated by SELPA's participation in random time surveys by the DHCS	Funding fluctuates; cannot reasonably estimate.
ADR Grant	SELPA	\$14,922	3395	Federal	No	GAN 22-23	
Workability I	SELPA	\$137,840	6520	State	No	State awarded grant	Three (3) part-time Job Placement Specialists and student wages
We Can Work	SELPA	\$139,437	9008	Federal	No	GAN 23-24	New grant 23/24

Direct Allocations- Small SELPA LEAs 2023-2024							
PURPOSE	AGENCY	APPROVED AMOUNT	RESOURCE	FUNDING SOURCE	COLA	FUNDING CALC/RATIONALE	NOTES
Annual Allocation	Almond Acres Charter	\$167,165	6500	State AB 602	Annual Review	Prior year P2 ADA ranging from 251-999	Direct allocations are for full time LEA classroom based programs only. LEA whose primary delivery of instruction is Independent Study or Home-Study based programs are not eligible for direct allocation under this formula  *SLOCOE receives allocations for both sites unrelated to student counts
Annual Allocation	Bellevue-Santa Fe Charter	\$66,867	6500	State AB 602		Prior year P2 ADA ranging from 1-250	
Annual Allocation	Cayucos ESD	\$66,867	6500	State AB 602		Prior year P2 ADA ranging from 1-250	
Annual Allocation	Coast USD	\$167,165	6500	State AB 602		Prior year P2 ADA ranging from 251-999	
Annual Allocation	Pleasant Valley JUESD	\$66,867	6500	State AB 602		Prior year P2 ADA ranging from 1-250	
Annual Allocation	San Miguel JUSD	\$167,165	6500	State AB 602		Prior year P2 ADA ranging from 251-999	
Annual Allocation	Shandon JUSD	\$66,867	6500	State AB 602		Prior year P2 ADA ranging from 1-250	
Annual Allocation	SLOCOE Community	\$66,867	6500	State AB 602		Prior year P2 ADA ranging from 1-250	
Annual Allocation	SLOCOE Juvenile Court	\$66,867	6500	State AB 602		Prior year P2 ADA ranging from 1-250	



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### ANNUAL REVIEW OF SPECIFIC ITEMS

The following items, as well as the table below are reviewed annually:

- Low Incidence Allocations
- California Children’s Services budget
- Direct Allocation – Smalls
- ERSESS funding
- High Cost Pool
- SEIS contribution
- Non-Public Schools Pool
- Ombudsperson/ADR

Annual Rates for Annual Review 2023-2024		
	CURRENT RATE	NOTES
Custodial/Maintenance	\$4.58 per sq. ft. per year	Adjusted annually by COLA
Housing	\$0.80 per sq. ft	Adjusted annually by COLA
Utilities	\$1.43 per sq. ft per year	Adjusted annually by COLA

### ALLOCATION OF FUNDS – DESCRIPTION

Other than direct allocations, all funds are distributed to the LEAs based on the state formula. Exceptions to this are:

1. Preschool Funds. LEAs who operate preschool programs receive federal grant resource 3315, based on prior year Fall CALPADs census, as well as 12% of 3310, allocated to LEAs based on the ratio of 3320 to 3310 in FY 2017-18.
2. Infant Funds. The SLO SELPA allocates Federal Part C Infant Funding and State Infant Funding to SLOCOE to operate programs for infants.
  - a. The federal government authorized grants (Resource 3385) to states to plan and implement a comprehensive, community-based interagency system of early intervention services (Part C) for infants and toddlers with disabilities and their families. LEAs serving infants and toddlers with solely low incidence disabilities are eligible.
  - b. The State of California also provides funding (Resource 6515) for individuals with exceptional needs who are younger than three years of age.
3. Out of Home Care Funds. The SELPA receives AB 602 funds that include an allocation for Out-of-Home Care services to support students either considered foster youth or residing in group homes/other similar facilities located within the SELPA’s geographic boundaries. The OOHHC funding formula was revised starting with the 21-22 year. The SELPA allocates these funds to LEAs based on the counts from the P1 certification as well as using Census Day foster youth count data.

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## POOLS

<p style="text-align: center;"><b>High Cost Pool \$300,000</b></p>	<p style="text-align: center;"><b>Non Public Schools \$175,359</b></p>
<p>Reimbursement to LEAs for expenses beyond the LEA’s basic continuum of services or unexpected events.</p> <p><u>Access:</u> Written proposal and invoice submissions.</p> <ol style="list-style-type: none"> <li>1. All claims are submitted to the SELPA annually, no later than <b>April 15</b>.</li> <li>2. All claims should include relevant invoices AND a cover page describing why/how the expenses were unanticipated or and why the LEA cannot reconcile those expenses within its existing budget.</li> <li>3. Claims are presented to SEOC and CBOs for discussion and recommendations prior to Governing Council action.</li> <li>4. Expenses eligible for ERSESS Board &amp; Care and/or NPS/A pools are excluded for the claim.</li> <li>5. Claims may not exceed actual excess costs and must incorporate any offset of district revenue.</li> <li>6. Legal costs, parent reimbursement or LEA non-provided compensatory services are not eligible for funds from this pool.</li> <li>7. A request may be made for the current fiscal year for a student placed as a result of an Inter-District Transfer (IDT) granted under appeal to the SLOCOE Board of Trustees which overturns the LEA’s IDT denial. Costs of services/program minus ADA.</li> <li>8. If the number of claims exceeds the available pool amount within one fiscal year, approved claims will be prorated.</li> <li>9. Any LEA claim denied by the Governing Council may be resubmitted by the LEA as a request for a no interest loan from the high cost pool. Terms of the loan will be determined by the Governing Council, based on the request. The Governing Council may agree to provide some funds as a grant while requiring a portion to be repaid.</li> <li>10. Approval of a claim that represents an ongoing expense is required annually.</li> </ol> <p>Funds are distributed at the end of the year. When a claim does not meet the criteria of being extraordinary, a proposal may be brought forward for review by the Governing Council for a waiver of the criteria.</p>	<p>Reimbursement to LEAs for basic education costs of NPS placement.</p> <p><u>Access:</u> Invoice submissions. Invoices for basic education will be paid at 50% or less of the agreed rate for a student named on a signed Individual Service Agreement and a Master Contract with a NPS. Funds will be distributed at the end of the year.</p> <p>Quarterly submissions of actuals:            November 1 - period ending September 30            February 1 - period ending December 30            May 1 - period ending March 30            August 10 - period ending June 30</p> <p>Any end-of-year balance will be carried over to the next fiscal year.</p> <p>No reimbursements will be approved for prior year invoices received after August 10 unless otherwise approved by the Governing Council.</p>

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### BLOCK FEES

#### Block Fee for Programs and Services

Each Provider develops a block fee schedule that delineates the available programs, services and associated fees. Bi-annually, the provider invoices the consumer for services provided based on the Individual Service Agreement (ISA) developed and consented upon.

#### Block Fee Development

Determination of Full Time Equivalent (FTE) costs

- Each program/classroom type will have a separate block fee
- The FTE/quantity for each programmatic component will be determined by SEOC based on the direct services and supports to students.
- The average cost of all employees within the job classification will be used.
- The per-pupil costs will be calculated using a standardized formula of the following dividends regardless of actual class size:
  - Less Intensive/More Intensive/Preschool/Adult = 10
  - Medically Fragile = 5
  - Therapeutic Learning Center (K-8) = 8
  - Therapeutic Learning Center (9-12) = 10
- Each LEA will use the state-approved indirect cost rate
- Custodial/Maintenance/Utility costs will use the SELPA rate per square footage, adjusted by COLA annually.
- Substitute, certificated and classified, rates will use a standardized flat rate
- Material/supplies rates to be determined by SEOC
- Block fee template will be provided for use by SELPA annually in March

#### Billing for Programs/Classes

The Provider invoices the Consumer based on student utilization of a Provider according to each student's enrollment generated by the Provider. The Provider will give the Consumer a monthly update of attendance.

The Provider will bill the Consumer based on the following formula:

1. A cost per student per year is calculated using the Block Fee Schedule. The per student cost is multiplied by the average annual enrollment per student.
2. The Individual Service Agreement (ISA) includes a deduction based on the ADA funding generated from LCFF calculation received by the Regional Provider per student. Student enrollment is charged by dividing total enrollment days by the total number of school days.
3. For students whose residence changes during a month, enrollment is charged by dividing total enrollment days by the total number of school days.
4. Extended School Year (ESY) expenses shall be invoiced separately as determined by the Individual Service Agreement.
5. The individual student totals for a LEA will be summed to provide a total billing for a LEA by the Provider.

A midyear invoice for the current fiscal year costs shall be reported no later than January 31 of the current year. A Final invoice for current year expenses will be provided to Consumers no later than 15 calendar days after the fiscal year concludes (by July 15).

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### **Billing for Related Services**

Costs for any Related Services will be billed to the District of Special Education Accountability. Contracts for Related Services provided directly to a LEA shall be in place no later than October 31 of the current year or 30 days after a request for services is made to a Regional Program Provider.

1. The Program Provider may use the average cost per hour or a proportional share for any specific Related Service provided to determine the costs of such services as specified in the Fee for Service Schedule.
2. The Program Provider will determine an average cost of providing those services to all Program Consumers.
3. The Program Provider may include provisions for additional charges based on actual costs for individual LEAs, such as travel cost of staff.
4. The Program Provider will report estimated costs to the Program Consumer as follows:
  - a. preliminary budget development no later than April 30 for the coming fiscal year
  - b. revised no later than October 31
  - c. final no later than January 31 and cannot exceed 5% of the October 31 estimate
5. A midyear invoice for the current fiscal year costs shall be reported no later than January 31. A Final invoice will be provided to the Consumer no later than 15 calendar days after the fiscal year concludes (by July 15).
6. When SLOCOE is the service provider, SLOCOE will provide a monthly T-sheet of student data for related services by the 15th of each month in arrears.
7. When an LEA intends to discontinue all or part of Related Services, the LEA will provide SELPA and the Regional Program Provider a Year and a Day notice.

### **Fee Adjustment Limitations**

#### ***LEA Operated Regional Programs***

The October Block Fee Adjustments shall not increase more than 7% over the prior October average program costs. The SELPA will compare current year and prior year October Block Fees to ensure there is not an excess of a 7% increase in average program costs.

Any Regional Program Provider who exceeds the allowable fee adjustment shall be solely responsible for any additional costs. Should a Block Fee exceed the adjustment limitations, an adjustment cap of 7% will be applied to the program costs to ensure that the fee is within the agreed upon guidelines unless both the Regional Provider and Consumer mutually agree otherwise.

#### ***SLOCOE Operated Programs***

The October Block Fee Adjustments shall not increase more than 7% over the prior fiscal year per classroom cost. The SELPA will compare current year and prior year October Block Fees to ensure there is not an excess of a 7% increase in classroom costs. SLOCOE will use the average of total enrollment in each program as of January 31 for the per-pupil cost divisor. SLOCOE State-approved indirect costs will be used unless mutually agreed upon otherwise by SLOCOE and the consumer.

### **Regional Programs/Classes**

Regional classes shall be made available by the LEAs to ensure a full continuum of programs for students with disabilities as specified in Appendix II - Regional Programs.

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### **Related Services**

Regional Program Providers shall make available to all SELPA LEA members Related Services, according to the adopted Annual Services Plan.

Projected needs for services are based on the policies and procedures discussed under Fees for Service. Regional Program Consumers are required to inform the SELPA and Regional Program Providers, in writing, of a change of services needed no later than February 1 of the year preceding the requested service.

### **Billing for Out of County Student Placement within the SLO SELPA**

When a non-resident student is placed in a LEA, the SELPA member LEA will invoice at the same rate as for an intra-SELPA student. The sending and receiving SELPAs will develop an Inter-SELPA agreement further defining the terms of the placement.

### **Billing for Foster or Unhoused Youth**

Homeless Youth who receive regional services will be the responsibility of the LEA of residence during the year of identification as homeless. Foster Youth whose residence changes during a month, the LEA in which the student resided in for the largest number of days during the month will be billed for that month.

## **INCURRED LEGAL EXPENSES**

Legal costs incurred by a Regional Program Provider for preparation, or participation in a state complaint, due process, or court action will be paid according to Local Policy on Litigation, LP 19.7. See the SLO SELPA Litigation Policy for additional guidance.

### **Legal Expenses**

The legal expenses associated with due process or a court case concerning students receiving contracted services from a Regional Program Provider will be the responsibility of the District of Special Education Accountability, unless the specific case contains issues related to the Regional Program Provider. See the SLO SELPA Litigation Policy for additional guidance.

### **Disputes Involving LEAs**

If a dispute should arise concerning the proposed placement, services to be provided, costs, and/or program exit, the LEAs agree to attempt to resolve the problem(s) through a direct meeting of the special education directors and/or the superintendents of the involved LEAs. The LEAs may request that the SELPA Executive Director facilitate this resolution process. If an issue cannot be resolved between the involved LEAs then resolution will be requested from the SELPA Governing Council.

## **CONTRACTED SPECIAL EDUCATION SERVICES**

### **GENERAL**

When a LEA determines that it cannot meet the special education needs of a student(s), the LEA may enter into an agreement to contract for services with another LEA for a non-regionalized class within the SELPA. When a Regional Program Provider operates a classroom identified as a regional classroom or

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when a LEA operates a class that has been transferred from one regional provider to another, that LEA must offer a contracted service/class.

The following general provisions will govern Regional Program Providers when developing contracts for services:

1. The Provider must offer space for any qualified student in a regional class. Appropriateness is determined by the LEA offering regional services utilizing the same guidelines applied to district students.
2. An LEA that has transferred a class or service from a Regional Program Provider must allow all students who require such class or services to enroll. If necessary, the LEA must open new classes/classrooms if demand necessitates.
3. The Provider will provide services and invoice Consumers.
4. The costs of contracted services is determined by the per student average cost in the program operated by the Provider unless otherwise specified in a mutually agreed to Individual Service Agreement.
5. Agreements between Regional Program Providers and an LEA concerning services for a specific student are made based on the parameters established by IEP determined needs. A Provider/Consumer MOU Agreement and an Individual Service Agreement for each student is written after the IEP team establishes that the student will be placed in the program or receive the service(s).
6. On-going student Individual Service Agreements shall be completed by the Regional Program Provider and submitted to the Regional Program Consumer no later than October 31 of the current year, or 30 days after enrollment.

### **Billing for Contracted Services - Students**

An IEP team may place a student outside that student's LEA of residence by agreement of the receiving Regional Program Provider. The contracting Provider shall charge the LEA of residence based on the Provider's fee for service block unless otherwise specified in a mutually agreed to Individual Service Agreement or MOU.

### **Billing for Contracted Services**

LEAs that contract with Regional Program Providers to provide specific special education services will use the principles described in this document. All Regional Program Providers will follow the same timeline for yearly costs estimates.

### **Student Specific Additional Costs**

Additional costs beyond the agreed to formula or contract, dictated by the student's IEP are paid by the District of Special Education Accountability based on specific student needs unless otherwise specified in a mutually agreed to Individual Service Agreement or MOU.

### **Transportation Costs**

The District of Special Education Accountability will pay transportation costs. Transportation is based on the specific needs as defined by the IEP team for transportation of the individual student and not exceed that of students with similar transportation needs. The individual costs will be determined at the time an Individual Service Agreement is reached.

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### **Student Discipline**

If a student is expelled, or the LEA of attendance suspends the expulsion, responsibility for educational services resides with the District of Special Education Accountability. All costs associated with educational placement of a student after an expulsion, or suspended expulsion, are the responsibility of the District of Special Education Accountability.

## **OPERATIONAL RESPONSIBILITIES OF SELPA MEMBERS**

### **Charter Schools**

Charter schools who become SELPA member LEAs have the same responsibilities and benefits as any SELPA member. Charter SELPA members are fully responsible for directly providing or contracting for all services. A member Charter School may use an LEA regional classroom by complying with the funding requirements in this document.

### **Custodial/Maintenance**

The Regional Program Provider will reimburse an LEA for custodial and maintenance based on the current rate per square foot of instructional space. This amount will be adjusted by statutory COLA on a yearly basis. These expenses are factored into the LEA's costs and may subsequently be charged to a program. An LEA may decide to provide custodial/maintenance for any classroom they operate.

### **Housing a Regional Class**

In the event the SLOCOE is requested to operate a program, member LEAs will provide a classroom, or space, on a district campus. The Regional Program Provider will reimburse an LEA for housing based on the current rate per square foot of instructional space provided for the class. This amount will be adjusted by statutory COLA on a yearly basis. The expenses are factored into the regional costs for providing services.

### **Utilities**

A Regional Program Provider will reimburse an LEA for utility usage based on the current rate per square foot of instructional space. This amount will be adjusted by statutory COLA on a yearly basis. These expenses are factored into the LEA's costs and may subsequently be charged to a program.

### **California Children's Services**

Facility Agreements shall remain current between the facility host LEA and CCS with annual renewals. Per the Facility Agreement, facility requests will be discussed by SELPA Governing Council as brought forth by the hosting LEA of the Medical Therapy Unit for approval. All approved costs up to \$15,000 will be covered through the SELPA High Cost Pool. Costs in excess of \$15,000 will be discussed for reimbursement by CBOs with final approval by the Governing Council.

Types of requests include;

- Maintenance: Maintenance and/or repairs specific to the space that CCS is occupying. Excludes major building repairs that are related to building ownership.
- Renovations/Enhancement: upgrades based on CCS request.

### **Management Information System**

All SELPA members are responsible for expenses related to collection and reporting of special education data related to their students. The SELPA shall provide annual contracts for such services to those LEAs

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requesting MIS services from the SELPA. An LEA is not restricted from contracting with a Regional Program Provider for MIS services for students not participating in regional programs.

### **REPORTING REQUIREMENTS**

The SELPA and the member LEAs shall follow all Federal, State and local reporting requirements. Reports must be submitted in their entirety and within the timeline to the SELPA for approval and in a format or on forms prescribed by the SELPA. The reports shall be maintained and made available by the member LEA for public review. The SELPA will conduct a detailed fiscal review of those documents for technical accuracy and reasonableness, and will provide the final report to the appropriate agency. These reports include, but are not limited to, the Maintenance of Effort and Excess Cost Reports. The SELPA is required to take action against those LEAs who do not meet Maintenance of Effort requirements as outlined in the Local Plan. See Appendix III for timelines.

### **SELPA ALLOCATION PLAN REVIEW**

The Governance Council's approval of the Funding Allocation Plan constitutes an agreement that the member LEAs will follow the provisions of the plan. The funding plan is edited annually and fully reviewed every three years by a subcommittee established by the SELPA Governing Council. This plan may be adjusted or revised at any time by a majority vote of the Governing Council. This plan is in effect until it is modified or revised by the SELPA's Governing Council.



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### APPENDIX I - Definitions

For the purpose of this agreement the following definitions will be used:

1. Block Fee Schedule: The method of determining costs for classrooms. It is based on a basic “Fee for Service” developed by each Regional Program Provider.
2. Contracted Programs: Services provided by a Regional Program Provider which serves students with IEPs from other LEAs.
3. Cost of Living Adjustment (COLA): Actual amount funded by the State.
4. Contracted Services/Classrooms: Those provided by a Regional Program Provider. Regional Program Providers are required to continue operation of these classrooms by providing services to other LEAs within the SELPA if the class is considered a regional class under the funding model or if the LEA has transferred a classroom from the COE. LEAs may provide contracted programs and services other than those noted at their discretion which may not be considered regional programs and services.
5. Direct Allocation Any allocation set aside for specific expenses prior to distributing funds to the LEAs. This is used interchangeably with “off the top.”
6. Educational Placing Agency: Any agency including a LEA from outside of the SELPA that is financially responsible for the educational placement of a student within the SELPA.
7. Educationally Related Social Emotional Supports and Services (ERSESS): San Luis Obispo SELPA’s local term for Educationally Related Mental Health Services (ERMHS). These are the mental health services necessary for a student with a disability to benefit from a special education program.
8. Large School LEA: A LEA with enrollment of more than 1,000 ADA. Atascadero USD, Lucia Mar USD, Paso Robles JUSD, San Luis Coastal USD, and Templeton USD are considered the large LEAs.
9. Local Administration Regulation (LAR): Refers to the rules for operation laid out in the Local Plan.
10. Off the Top: Any allocation set aside for specific expenses prior to distributing funds to the LEAs. This is used interchangeably with “direct allocation.”
11. Regional Program Consumer: An LEA seeking regional programs and services provided by a Regional Program Provider.
12. Regional Program Provider: An LEA that provides programs and services on a regional basis and is available for appropriate students within the region of the SELPA.
13. Related Services: Supportive services required to assist a student with disabilities to benefit from special education. Examples: Speech, Occupational Therapy, and Health and Nursing Services.
14. SELPA or SELPA-wide: All of member LEAs operating under the policies of the Local Plan.
15. SELPA Office or SELPA Administration: The SELPA Executive Director and staff.
16. Small School LEA: A LEA with enrollment of less than 1,000 ADA. Almond Acres Charter Academy, Bellevue-Santa Fe Charter School, Cayucos, Coast, Pleasant Valley, San Luis Obispo County Office of Education, San Miguel, and Shandon are considered the small LEAs.
17. State Formula: The manner that state funds were allocated to the SELPA. For example: by ADA, CBEDS, Bed Count, etc.
18. Systematic Transfer: A program transfer done by withdrawing students from a regional program with the intent of starting a similar or identical program which may or may not be regionalized. The LEA withdrawing students has not given a Year and A Day Notice as defined below which

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results in a fiscal impact to other Regional Program Consumers. The Governing Council shall review any allegation of Systematic Transfer and make the final determination as to a resolution or action required.

19. SELPA Approval Process: The systematic planned review and recommendations of SEOC and CBOs (as appropriate) and the subsequent decision and action of the Governing Council.
20. Year and A Day Notice: Refers to 366 days regardless of time of year program transfer notice is given. Year and A Day Notice refers to a June 30<sup>th</sup> statutory notification unless otherwise agreed by the Regional Program Provider and Regional Program Consumer.

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## APPENDIX II - Regional Programs & Contracted Related Services

### Available Regional Programs

	AUSD	COE	LMUSD	PRJUSD	SLCUSD
More Intensive – Preschool	2		3	2	1
More Intensive – Elementary	K-2 (1) 2-5 (1)		K-7 (1)	K-2 (1) 3-5 (1)	K-2 (1) 2-6 (1)
More Intensive – Middle School			5-8 (1)	1	7-8 (1)
More Intensive – High School	1		2	1	1
More Intensive – Post Secondary	1		3	1	1
Therapeutic Learning Class – Elementary	1		1		1
Therapeutic Learning Class – Middle				1	1
Therapeutic Learning Class – High School	1		1	1	1
Medically Fragile – Pre K – Adult			1	1	1
Deaf or Hard of Hearing – Preschool/Elementary		1			
Deaf or Hard of Hearing – Middle		1			
Intensive TLC – 2-8		1			
Intensive TLC – 7-12		1			
County Jail		X			
Home/Hospital		X			
Contracted Related Services	X	X	X	X	X

Related Services may include, but are not limited to the following:

Code	Related Service	Code	Related Service
415	Language and Speech	545	Residential Treatment Center
425	Adapted Physical Education	610	Specialized Services for Low Incidence
435	Health and Nursing – Specialized Physical Health Care	710	Specialized Services for Deaf and Hard of Hearing
436	Health and Nursing – Other Services	715	Interpreter Services
445	Assistive Technology Services	720	Audiological Services
450	Occupational Therapy	725	Specialized Vision Services
460	Physical Therapy	730	Orientation and Mobility
510	Individual Counseling	735	Braille Transcription
515	Counseling and Guidance	740	Specialized Orthopedic Services
520	Parent Counseling	755	Transcription Services
525	Social Work Services	760	Recreation Services (therapeutic recreation)
530	Psychological Services	800	Transition Services
535	Behavior Intervention Services	900	Service Plans

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## APPENDIX III - SELPA LEA Due Dates

Month	Description	Due To	Due Date	Note
<b>JUL</b>	Final Invoice for Contracted Services (prior school year)	Regional Program Consumer	Provider to Consumer: no later than <b>July 15</b> for prior fiscal year	
<b>AUG</b>	NPS Pool Claims–Basic Education	SELPA	No later than <b>August 10</b> but may be submitted anytime during the year	No reimbursements will be approved for prior year invoices received after August 10th unless otherwise approved by Governing Council
<b>SEPT</b>	Prior Year Excess Cost Reports	SELPA	<b>September 15</b>	
	SEMA/SEMB (Maintenance of Effort)	SELPA	<b>September 15</b>	
<b>OCT</b>	Revised Fee for Service Schedule (Block Fees)		Provider to Consumer: no later than <b>October 31</b>	
	Student Contracts, ISA, and Related Service Contract Agreement	Regional Program Consumer	On or before <b>October 31</b>	MOU for new students is due within <b>30 days of IEP meeting</b>
<b>JAN</b>	Midyear Invoice for Contracted Services (current school year)	Regional Program Consumer	On or before <b>January 31</b>	Midyear invoice for the current fiscal year shall be reported no later than January 31 and will be based on the January 31 Final Fee Schedule
	Final Fee for Service Schedule (Block Fees)	Regional Program Consumer and SELPA	Provider to Consumer: Final Fee for Service costs no later than <b>January 31</b>	When a fee for service schedule is not submitted by October 31, the last schedule will apply and be subject to the 7% fee adjustment over prior FY
<b>FEB</b>	Need for Specific Related Services	Regional Program Provider	Prior to <b>February 1</b> of the year of the effective date	Consumer gives written notice
<b>APRIL</b>	High Cost Pool Claims	SELPA	No later than <b>April 15</b>	Reviewed by the Governing Council for consideration and approval
	Preliminary budget development; Fee for Service Schedule (Block Fees) (upcoming fiscal year)	Regional Program Consumer & SELPA	Provider to Consumer & SELPA: estimated costs no later than <b>April 30</b>	Will not increase more than 5% over April projection and overall no more than 7% over prior fiscal year
<b>JUNE</b>	Discontinuing Specific Related Services	Regional Program Provider & SELPA	A year and a day prior to discontinuing services	Consumer gives written notice
	Low Incidence Reimbursement invoices	SELPA	<b>June 1</b>	Provide invoices for LI Equipment Pool reimbursements through May 31. For LI form requests received & approved at SELPA throughout the FY.