

WEST ORANGE COUNTY CONSORTIUM FOR SPECIAL EDUCATION
MINUTES OF THE WOCCSE SUPERINTENDENTS' COUNCIL

December 14, 2016

**COUNCIL MEMBERS
PRESENT**

Dr. Carol Hansen/OVSD
Dr. Mark Johnson/FVSD
High School was represented by Owen Crosby

**COUNCIL MEMBERS
ABSENT**

Gregg Haulk/HBC
Dr. Marian Phelps/WSD
Dr. Alan Rasmussen/HBUHSD (Interim Superintendent)

**ADMINISTRATIVE
PERSONNEL ABSENT**

None

**PLACE AND DATE OF
MEETING**

Huntington Beach Union High School District
Board Room
December 14, 2016

**CALL TO ORDER
(I)**

The meeting was called to order by Dr. Mark Johnson at 4:01 p.m.

**FLAG SALUTE
(II)**

The Pledge of Allegiance was lead by Dr. Mark Johnson.

**APPROVAL OF MINUTES
(III)**

The minutes were tabled until the March 8, 2017 meeting due to lack of quorum.

Motion not carried.

**WOCCSE Recognition
(IV-A)**

Anne Delfosse, WOCCSE Executive Director, introduced the following honoree for the "Above and Beyond" recognition award from WOCCSE. Anne shared the following:

"It is with a respectful and bittersweet heart that I present WOCCSE's Above and Beyond Recognition to you today.

Today, we honor our very own Rita Buccola, who is also retiring at the end of this month.

Honestly, it is difficult for me to describe what Rita has done for all of us over these many years. Through her service to WOCCSE, and her unyielding attempt to keep us all so organized and focused, I can't imagine how many staff and families she has helped through the years.

WOCCSE Recognition –

Rita started her tenure in Huntington Beach Union High

Continued

School District working as a substitute in the attendance office at Westminster High School. She loved (and I quote), “being around the students.”

She then worked in the Human Services Department as a Sr. Personnel Clerk and through this job, she realized that she “loved the staff too.”

When she worked to support the home teaching staff, she says that this is where she learned to be sensitive to hardships that many of our families face when they have sick or disabled children.

So, WOCCSE at last became her work home in 1994, where she first served as an Administrative Secretary, then executive secretary under Jim Hemsley.

If you ask any staff in WOCCSE, they will tell you that Rita is a “rock”, a shoulder to cry on, and a model of care and concern.

If you ask parents, they will tell you that she is patient, compassionate, and helpful.

If you talk to her colleagues in other districts, they will tell you that they appreciate her friendly attitude and tenacity (especially when trying to schedule meetings.)

When asked what she likes best about her job, without a second hesitation, Rita will tell you “the people”. This attitude has been an example for all of us, as we deal with the many joys and complexities of service to students with disabilities.

Rita is always mindful about giving cause to celebrate, and she takes the lead in making sure that the WOCCSE staff always takes time to do so. Now, it is time for us to celebrate Rita. We offer her congratulations and wishes for continued good health and renewed energy as she makes plans to refocus on her own family and friends, and to launch herself on a new adventure. We will miss her, but we are so proud to know her and to honor her at this crossroad.

Please join me in recognizing our wonderful Rita for always going above and beyond in helping us to support students with disabilities and their families, and the staff who serve them.”

PRELIMINARY FUNCTIONS – None
Oral Communication
(IV-B)

REPORTS
Orange County Special

An update regarding Orange County Special Ed Alliance was provided.

**Education Alliance Review
Committee Updates
(V-A)**

The Orange county Special Education Alliance Review Committee approved minutes from September and the draft minutes from November are included in the packet.

In summary...

The Orange County Special Education Alliance is providing county-wide training for educational leaders.

- A legal panel is being held in January through which current topics related to case law and special education practice will be discussed. Each attorney will present on a specific topic, with a Q & A panel to follow.
- In addition to this, Gail Nugent (a trained mediator, trainer, and conflict resolution facilitator) has been contracted to provide a number of hours of training for each SELPA in Orange County. WOCCE's January Administrative Focus Group Training will feature a presentation by Gail, with a follow up plan for more specific coaching for district teams as needed. Please encourage your site leaders to attend this training.

The Alliance Advocacy committee is working on a plan to have teams (SELPA Directors, Parents, other district leaders) visit legislators when they are in town. Talking points for these visits are yet to be developed, but will most likely involve funding for special education preschool and follow up to the governor's budget.

There have been several applications approved for AB490 (foster youth) transportation support, and one application for District Support.

**REPORTS
WOCCE Strategic Plan Update
(V-B)**

Nancy Finch-Heuerman, WOCCE Director, wanted to update the Council on WOCCE's efforts regarding the number of alternative dispute resolution meetings within the five member school districts for the last 6 months, from July 1 until December 31, 2016.

Page V-B (1) provides information about ADR meetings for each school district for that time period. The 5 districts are labeled across the top of the chart in alphabetical order with a column entitled "WOCCE Total" on the far right.

The first row provides information regarding the total number of ADR meetings held for each school district, and then provides a total number, 16, of ADR meetings for all of WOCCE.

**WOCCE Strategic Plan Update
Continued**

The next row indicates the number of ADR meetings which were offered by WOCCE on behalf of the districts, but the ADR invitations were declined by the parents for various

reasons.

The next row shows the number of ADR sessions where the districts and parents were unable to resolve the issues. In 5 of those cases the issues still remain unresolved today, and in one case the parents thereafter filed for due process, which was settled at mediation.

The next row indicates the number of ADR sessions that were resolved, but no settlement agreement was entered into between the parents and District. In one case, the issues went back to the IEP team and were resolved, and the other case was simply resolved through discussion with District and WOCCSE staff.

The next row indicates the number of ADRs Pending—we have one ADR scheduled between now and the end of December, and another in which the agreement is being developed “as we speak.”

Finally, the last row indicates the total number of ADR settlement agreements that were entered into with parents and finalized by each district with the support of WOCCSE.

Lindy Leech-Painter, WOCCSE Director, presented to the Council an update on professional development opportunities offered through the SELPA.

Recent highlights include:

- 1) An October training for school psychologists on School Refusal. That training occurred here at the District Office and was led by Robyn Moses, Director of the Compass Center. Over 40 psychologists from the 5 member districts attended.
- 2) In November, staff from The Diagnostic Center of Los Angeles, presented a full day workshop on Dyslexia. WOCCSE thanks FVSD for allowing us to use their board room for the training. Over 60 people were in attendance. Westminster School District had 28 participants including not only specialists but general education staff as well.
- 3) Meryl Schrantz, Michelle Anderson, and Lindy Leech-Painter attended the 2 day C.A.P.T.A.I.N. Summit the first week of December – California Autism Professional Training and Information Network. There were representatives from all over Southern and Central California with a focus on gathering resources to bring back to SELPAs in order to facilitate training within SELPAs and Districts. WOCCSE will be

hosting a meeting of the Orange County CAPTAIN members on January 23rd and they'll be working on the action plan for the upcoming year which includes organizing a network of training, strengthening our relationship with Regional Center and local universities, and developing a brochure for distribution to local area preschools on early signs that would warrant screening or testing.

Upcoming Trainings include:

- 1) WOCCSE will host the second 5 day training – Principles of Applied Behavior Analysis the week of January 8th. WOCCSE's Autism Specialist, Michelle Anderson, leads that training. The first training offered at the end of September received great feedback from the attendees.
- 2) On January 12, Gail Nugent will meet separately with our new teachers after she leads the Administrative Focus Group in the a.m. One of the areas new teachers asked for help in is dealing with difficult personalities and we're pleased to be able to support them in that area.
- 3) On January 26th, WOCCSE will host the second Diagnostic Center Training of the year – Cognitive-Behavioral Techniques for Educators. This training is geared for teachers, specialists, psychologists, administrators working with students with mental-health needs. A thank you to WSD for opening up the TLX room at Wilmore for the training.
- 4) There will be a Special Education Legal Panel offered through the Alliance at the end of January. January is a busy month in terms of our PD offerings!

REPORTS
Fiscal Update
(V-C)

Rachel Rios, WOCCSE Fiscal Director, provided reports on the MOE and Excess Cost Reports which were due to CDE by November 15, 2016. Summary and comparison reports have been prepared as informational items in Councils' packet.

Fiscal Update - continued

MOE Reports – Background information: In 2014-15 the federal Subsequent Year Rule (SYR) was implemented to define what level of effort an LEA must meet in the year after an MOE failure, and the Subsequent Year Tracking (SYT) is a tracking mechanism that will be updated annually to ensure LEAs are meeting the requirement. LEAs are only required to pass one of four tests to meet the MOE requirement. However, each LEA is required to show results for all four methods. These results are necessary both for historical purposes and for the possibility that an LEA may want, or

need, to switch methods in future years.

Effective with the November 15, 2016, reporting, LEAs were required to submit a Subsequent Year Tracking (SYT) worksheet with their MOE reports. The worksheet begins with the 2011-12 year, the baseline year for LEA MOE calculations established by the Office of Special Education Programs. The SYT worksheet will be a “rolling aggregate” data collection, meaning LEAs will add to the data as each year comes to a close. If an LEA met the LEA MOE compliance standard by one of the four methods for any year after 2011-12, that becomes the baseline year for that method. Pages V-C (5) through (10) show the test results for each district for each test method beginning with 2011-12 Actuals through 2016-17 Budget.

In summary each district’s MOE tests for 2015-16 Actuals to 2014-15 Actuals. MOE requirement was met by all Districts.

Page V-C (2) and (3) are summaries of each district’s MOE tests for 2016-17 Budget to 2015-16 Actuals. MOE requirement was met by all Districts EXCEPT for HBUHSD. Test 2 was required by HBUHSD to compare 2016-17 Budget to 2014-15 Actuals (most recent year where MOE was met). MOE requirement was met by HBUHSD.

Page V-C (4) is a comparison report by District for Pupil Counts, Excess Cost, and MOE amounts from 2014-15 to 2015-16. Pupil counts (Enrollment, CASEMIS UDC, and Spec Ed Student FTE) across all districts decreased. Excess Costs and MOE levels increased.

Page V-C (11) and (12) are SELPA Excess Cost calculation summaries for FY 2015-16 and FY 2014-15.

All of these reports were presented to District Special Ed Program Directors and Business Directors. The SELPA recommended and encouraged districts to review information and have discussions with pertinent staff to ensure that programs are being operated efficiently.

REPORTS
Legislative/Policy Update
(V-D)

Mrs. Delfosse presented an update on various state and local issues that have been shared previously.

1. Memorandum of Understanding that Districts hold with California Children’s Services.

The last signed MOU between Orange county and CCS was in

2001. You can see that this MOU is significantly outdated, and is not being adhered to, primarily because at this time, there is such a separation between educationally necessary and medically necessary services; and the law upon which this MOU is based grew out of necessity in the 1940s when students needed access to medical care for significant disabling conditions.

Upon recent engagement with CCS, neither party wants to create or update an MOU.

At this point, SELPAs are calling for a legislative approach that would separate the health care entitlement from the educational entitlements.

Districts pay for facilities (the medical therapy units) and materials for CCS, but there are no IEP services being provided to our students by CCS.

As an example, CCS PTs previously provided equipment analysis and transfer training to staff in classrooms. Now, because CCS no longer serve students in the classroom or through an IEP, WOCCE PTs are providing these services for our students and staff. (If we had not developed our WOCCE PT program, our districts would have to contract for these services).

2. Child Welfare Improvement Partnership.

Historically, School Districts have been left out of this discussion. However, in Orange County, SELPA Directors have been invited to participate and are attempting to build bridges for interagency collaboration.

Mrs. Delfosse stated that it is important for us to stay in the conversation regarding our foster youth. The lines often blur when we are addressing needs of children. However, without SELPAs at the table, the roles of the IEP team and the Child Family team can be confused. The home/school needs have to stay bifurcated, but coordinated.

SELPA Directors are working to stay involved in these inter-agency discussions because issues such as

- funding that SELPAs receive based on out of home bed count,
- keeping students in district of origin when they move to a new foster home, and
- placing students who have been failed by the systems all call for engaging discussion and collaborative solutions.

In January, a small group of OC SELPA Directors (Anne

**Legislative/Policy Update
Continued**

included) will be meeting with juvenile court judges to discuss more ways to build interagency collaboration.

The ultimate goal for all agencies is to have students reside in home and attend schools in secure, effective, successful environments for both living and learning.

3. Restructuring credentials in California

Mrs. Delfosse stated that she is representing WOCCE and the State SELPA Directors Association as a member of a state-wide workgroup with the Commission on Teacher Credentialing for the purpose of revising the Education Specialist Credential.

An Information/Action Item summary updating the Commission on the progress of this group is included in packet on page V-D 30-38.

In summary, the newly adopted teaching performance expectations for general education are foundational, and define what both prospective general education and special education teachers must know and be able to do.

Mrs. Delfosse shared that in addition to these, there will be a set of core expectations for all special education teachers. It is the recommendation that the focus be on student needs and appropriately responsive instruction and intervention, rather than on disability categories (as is currently the focus with all of the specialized authorizations for special education).

The workgroup has also asked the commission to consider expanding the Early Childhood Specialist Credential to Kindergarten (which would require some regulatory changes), and has discussed, for the Commission's consideration, three possible credential structures.

Moving forward, the workgroup will finalize recommendations for structure and teaching performance expectations for ed specialists. There are 2 more work sessions scheduled before final recommendations go before the Commission.

Legislative/Policy Update Continued

4. Special education finance report from the Public Policy Institute of California. (The report and appendixes are included in packet on Page V-D 36-90)

Mrs. Delfosse stated that last year, there was bipartisan support for SB1071, which was a bill to provide funding for special education preschool. The governor pulled the bill and called

for an independent study on special education finance to be completed.

The PPIC released their report on November 29th. A publically broadcasted panel discussion with Michael Kirst, State Board President, was held. The report has served as a launch platform for further discussion around the state.

In brief, the institute's recommendations were to:

Consider new funding distributions

- Direct funds to LEAs rather than SELPAs
- Add special ed funding to LCFF, keeping the requirement to spend funds only on special education or add special ed funding to LCFF without firm restrictions, allowing for maximum flexibility, while maintaining MOE requirements

Continue other SELPA functions through some type of regionalized organization similar to SELPAs (Eg. Consortiums, COEs, CDE, statewide small district SELPAs)

Update AB602: Equalize up toward the highest per ADA rate at (90th percentile) or to the 2007 per ADA rate (which would be approximately equal to the 90th percentile (\$653.00 per ADA)

(WOCCE is currently funded below the 90th percentile level at a base rate of \$578.72.)

Simplify other funding programs

- Include mental health funding in AB602
- Base Out of Home Care funding on actual placements instead of bed counts
- Increase state support for infants and preschoolers with disabilities

Several groups are watching closely to see if the special education reform discussion is picked up in the governors January budget proposal, or if it is separately pursued in the Legislature.

Given the complexity of the topic and the many competing interests, it is possible that the finance reform conversations will result in minimum or no changes at this time.

**Legislative/Policy Update
Continued**

Some political analysts speculate that state policy makers will most likely be inclined to wait before taking any action until possible changes in federal education programs and funding are proposed by the new administration.

Going forward, ACSA and several other groups have made special education a policy priority for this year.

As more information becomes available regarding fiscal and/or structural reform of special education, WOCCSE district leaders will be kept informed, as there would be a lot to discuss, especially relative to how to maintain and support programs and services to our students.

**PUBLIC COMMUNICATION
(VI)**

None

**ADJOURNMENT
(VII)**

Dr. Johnson adjourned the public meeting at 4:40 p.m.