

# SUPERINTENDENTS GOVERNANCE COMMITTEE

## TULARE COUNTY MASTER PLAN FOR SPECIAL EDUCATION

### MINUTES

November 25, 2008

The Superintendent's Governance Committee met on Tuesday, November 25, 2008, in the Board Room of the Tulare County Office of Education.

**MEMBERS PRESENT:** **Howard Berger**, Superintendent, Tulare Joint Union High; **Dr. Carolyn Kehrli**, Superintendent, Cutler-Orosi Unified; **Janet Jones**, Superintendent, Farmersville Unified; **Janet Kliegl**, Superintendent, Lindsay Unified; **Jerry Sessions**, Superintendent, Dinuba Unified; **Sue Sherwood**, Superintendent, Three Rivers Union Elementary; **Dr. Marcella Smith**, Superintendent, Earlimart Elementary; **Dr. John Snavelly**, Superintendent, Porterville Unified; **Jim Vidak**, County Superintendent, Tulare County; **Renée Whitson**, Superintendent, Exeter Union; **Dr. Marilyn Rankin**, Assistant Superintendent/SELPA Administrator, Tulare County.

**MEMBERS ABSENT:** **John Beck**, Superintendent, Tulare City Elementary; **Stan Carrizosa**, Superintendent, Visalia Unified; **David DePaoli**, Superintendent, Strathmore Union Elementary; **Tim Hire**, Superintendent, Woodlake Union; **Dr. Gary Mekeel**, Superintendent, Burton Elementary.

**OTHERS PRESENT:** **COUNTY COUNSEL:** **Carol Laird**, Deputy County Counsel; **LINDSAY UNIFIED:** **Suzzane Terrill**, DOSE Representative to SGC; **TULARE COUNTY OFFICE OF EDUCATION:** **Norma Erwin**, Parent Liaison, **Cara Peterson**, Preschool Coordinator, **Kaye van Gilluwe**, Administrator, Student Support Services.

**PUBLIC COMMENTS:** Janet Jones, Chairperson, opened the meeting to public comment. No public comment was made.

**REVIEW OF SGC PACKET:** Dr. Marilyn Rankin reviewed the Superintendent's Governance Committee agenda packet with the Superintendents. Items included were:

- CASEMIS Special Education Enrollment Data – November
- Summary of Office of Administrative Hearings Decisions for 2006-2007, 2007-2008, and 1<sup>st</sup> Quarter 2008-2009
- Sample board policy on use of service animals by students with disabilities from neighboring county office

**GUEST PRESENTERS:** **Carol Laird, Deputy County Counsel**, gave a presentation to the superintendent's on the definition of a parent as defined by both State and Federal Law and how the definition relates to who can sign an IEP. The State definition as defined in Education Code Section 56028 was repealed and reenacted in 2007 to more closely parallel the Federal definition, and was again amended in 2008 to add clarification. The definition includes biological or adoptive parent, foster parent, an individual acting in place of biological or adoptive parent with whom the child lives, and a surrogate parent. Carol pointed out that a court order trumps all. A surrogate parent who is appointed pursuant to Section 7579.5 of government code states a parent may designate any adult to be responsible for the child's educational decisions. Also, when joint custody exists, Carol advised to follow through with the parent that has physical custody of the student.

**APPROVAL OF MINUTES:** Minutes from the October 28, 2008 Superintendent's Governance Committee Meeting were presented for approval.

***A motion was made by Dr. John Snavelly and seconded by Jerry Sessions to approve the minutes as presented. The motion carried unanimously.***

**PRESCHOOL SUPPORT TEAM:** Cara Peterson, Preschool Coordinator, presented the Preschool Support Team brochure which is available to Districts. The Preschool Support Team provides a link between special education staff and on-site preschool staff in order to assist with creating a cohesive team to meet the needs of preschoolers with disabilities. Two program specialists are available for the larger districts and two resources specialists for the smaller direct service districts. The team continues to provide training to district staff on IEPs, assessments, etc. It is a comprehensive wraparound of the child to ensure student is ready for Kindergarten.

**CASEMIS REPORT:** Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, provided the superintendents with both district specific and small school districts combined graphs depicting the five year history and percent of identified special education students as compared to CBEDs as well as a spreadsheet of all districts for the most recent year reporting 2007 for comparison. Marilyn noted that positive trends can be seen as a result of the implementation of Communication Severity Scale and Rtl.

**DOSE REPORT:** Kaye van Gilluwe, Administrator, Student Support Services, in the absence of Suzzane Terrill, representative from the Directors of Special Education Committee to the Superintendents Governance Committee, reported on the November DOSE meeting (See *November 3, 2008 minutes*).

**SPECIAL EDUCATION SELF REVIEW (SESR):** Kaye van Gilluwe, Administrator, Student Support Services, reviewed with the superintendents information related to the 2008-2009 Special Education Self Review (SESR) including information on disproportionality letters received by Districts. Many compliance findings are mathematically impossible to meet due to the makeup of the student population. It was the consensus of the superintendents that a SELPA template letter to CDE be drafted in response to the findings to express frustration with the process with copies to representative in Congress. Kaye also reviewed an enclosure for timely and complete reporting for 2008-2009. When due dates are missed by any district, the entire SELPA is found out of compliance in the respective area.

**PRIVATE SCHOOLS MEETING:** Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, reported to the superintendents that the State and Federal mandated consultation with representatives of private schools took place on November 19, 2008, at TCOE with meaningful dialogue.

**HUGHES BILL MANDATED COST CLAIM:** Kaye van Gilluwe, Administrator, Student Support Services, reviewed information regarding the tentative agreement between claimants and the Department of Finance on the Hughes Bill Mandated Cost Claim. CSBA will be mailing packets with settlement details, sample agenda item, and sample board resolution, the last week of December. Each Board must adopt the resolution authorizing the Superintendent to sign the waiver agreeing to waive their rights to contest the settlement and to file any claim regarding the Hughes Bill. After the necessary percent of waivers are received back, legislation must still be enacted appropriating the necessary funds for 2009-2010 and placing ongoing funding into statute. The settlement includes an ongoing increase to the AB602 funding base as well as retroactive and one-time reimbursement for districts, County Office, and SELPA.

**SELPA POLICY #3020 – PROGRAM FOR CAREER AND VOCATIONAL DEVELOPMENT (FIRST READING):**

Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, reviewed changes needed to SELPA Policy #3020 which includes changing the age of transition to 16, and expanding the definition of transition services to be provided as required by law.

**SELPA POLICY #2530 – DISTRICTS RECEIVING SPECIAL EDUCATION FUNDING FOR SERVICES FOR HEARING IMPAIRED STUDENTS THROUGH THE TULARE COUNTY/DISTRICT SELPA (SECOND READING):**

Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, reviewed changes requested to SELPA Policy #2530 which include an increase to the established rate for interpreters to no greater than \$50 per hour including benefits or no greater than the labor distribution reports and addition of language to indicate a good faith effort must be made by the Districts to employ interpreters for hearing impaired students who meet the certification requirements under Title 5 of the California Code of Regulations.

**NEXT MEETING:** The next meeting of the Superintendents Governance Committee was scheduled to be Tuesday, January 20, 2009. It was the consensus of those superintendents in attendance to cancel the January meeting unless pressing agenda items were in need of action prior to the next scheduled meeting, Tuesday, February 24, 2009, from 12 Noon to 2:00 p.m. in the Board Room of the Tulare County Office of Education.

***A motion was made by Dr. John Snavely and seconded by Jim Vidak to approve the canceling of the Tuesday, January 20, 2009, SGC meeting. The motion carried unanimously.***

**HANDOUTS:** AGENDA ITEM HANDOUTS: State Law Definition of “Parent; Federal Law Definition of “Parent”; Draft minutes of the October 28, 2008 Superintendent’s Governance Committee meeting; Preschool Support Team Brochure; Special Ed Enrollment Graph Compared to CBEDS – District Specific; Special Ed Enrollment Graph Compared to CBEDS – TCOE Small School Districts; Special Education Enrollment Compared to CBEDS All District Spreadsheet (Large Districts and Small School Districts Served by TCOE); Timely and Complete Report 2008-2009 as Related to Special Education Self Review; Tentative Agreement Between Claimants and Department of Finance on Hughes Bill Mandated Cost Claim; Tulare County/District SELPA Policy #3020 – Program for Career and Vocational Development (first reading); Tulare County/District SELPA Policy #2530 – Districts Receiving Special Education Funding for Services for Hearing Impaired Students through the Tulare County/District SELPA (second reading).

MISCELLANEOUS HANDOUTS: CASEMIS Special Education Enrollment Data Report – November; Office of Administrative Hearing Decision Summary; Sample Service Animal Policy.