

SUPERINTENDENTS GOVERNANCE COMMITTEE

TULARE COUNTY MASTER PLAN FOR SPECIAL EDUCATION

MINUTES

November 30, 2010

The Superintendent's Governance Committee met on Tuesday, November 30, 2010, in the Board Room of the Tulare County Office of Education.

MEMBERS PRESENT: **Howard Berger**, Superintendent, Tulare Joint Union High; **Luis Castellanoz**, Superintendent, Tulare City Elementary; **Dr. Joe Hernandez**, Superintendent, Dinuba Unified; **Tim Hire**, Superintendent, Woodlake Union; **Janet Jones**, Superintendent, Farmersville Unified; **Dr. Carolyn Kehrli**, Superintendent, Cutler-Orosi Unified; **Janet Kliegl**, Superintendent, Lindsay Unified; **Connie Owens**, Springville Union Elementary; **Terri Rufert**, Superintendent, Sundale Union Elementary; **Dr. Craig Wheaton**, Superintendent, Visalia Unified; and **Dr. Marilyn Rankin**, Assistant Superintendent/SELPA Administrator, Tulare County.

MEMBERS ABSENT: **Dr. Gary Mekeel**, Superintendent, Burton Elementary; **Sandra Munoz**, Superintendent, Earlimart Elementary; **Dr. John Snavelly**, Superintendent, Porterville Unified; **Jim Vidak**, County Superintendent, Tulare County; and **Renée Whitson**, Superintendent, Exeter Union.

OTHERS PRESENT: ALPAUGH UNIFIED: **Rob Hudson**, Superintendent; BURTON ELEMENTARY: **Kathleen Daguman**, DOSE Representative to SGC; MONSON-SULTANA JOINT UNION ELEMENTARY: **Roy Woods**, Superintendent; TULARE COUNTY OFFICE OF EDUCATION: **Patty Blaswich**, Director, Internal Business Services; **Norma Erwin**, Parent Liaison; **Ron Pekarek**, Director, Bright Future Program; **Jill Santivanez**, Administrator, Tulare Area Severely Handicapped Program and Supervisor, TCOE Psychologists; **Kaye van Gilluwe**, Administrator, Student Support Services; and **Eileen Whelan**, Director, Bright Future Program.

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

INTRODUCTIONS: Janet Jones, Chairperson, welcomed two guest superintendents and invited them to share information about special education in their districts. Rob Hudson, Superintendent, Alpaugh Unified, shared that his district is in the very rural Southern corner of the County and is 49 miles from the County Office. 97% of the district is poverty level with 70% of the students ELL and approximately 300 ADA. He is very pleased with the special education services the district receives from the County Office which includes a full-time special education teacher. He indicated because of the district's location, a high number of students with IEP's have migrated into the district with current services. They are working hard to get them up to grade level and to see if a regular education program is suitable. He also indicated the district receives speech and language services via a video conferencing system through TCOE which is working well for the rural District.

Roy Woods, Superintendent, Monson-Sultana Joint Union Elementary, shared that his district also has a large population of ELL students as well as a high poverty level. The district is located between Cutler and Dinuba and currently has approximately 430 ADA. TCOE provides the district with one full-time special education teacher and the services of a psychologist one time per week. Superintendent Woods is ecstatic with the services received and indicates that even though the district has a small population of special education students, there are a few students with severe behavior problems.

GUEST PRESENTERS: Ron Pekarek, Eileen Whelan, Directors, Bright Future Program and Jill Santivanez, Administrator, Tulare Area Severely Handicapped Program and Supervisor, TCOE Psychologists provided the superintendents with a presentation on resources and referrals for students with behavior problems. As a result of concerns brought up at the September SGC meeting, Ron and Eileen visited Farmersville Unified and Tulare City Elementary to see how behavior intervention services could be provided to students in the general education setting. They noted a lot of aggression in the students observed which has resulted in a high number of suspensions. As they worked with the district to look at ways to deal with the behavior issues, Ron found that district personnel placed a huge focus on factors outside the classroom as contributory factors for the behaviors and that a negative culture had developed in the classroom. A punitive environment seemed to be the primary method of addressing the negative behavior. This included adding a huge amount of time to the use of “time-out” rooms and the overuse of physical interventions including restraint and seclusion in some instances. Ron suggested that the negative behaviors be addressed from a functional perspective (examining what the child is gaining from the behavior or attempting to gain from the behavior) rather than punitive. Ron indicated that just like the student who does not know math or how to read or write that these students with severe behavior issues need to be treated as a child who doesn’t know how to behave. The behavior disordered child has a skill deficit not unlike other students with other deficits.

Eileen indicated the Bright Future Program has intervened by incorporating positive behavior supports (PBS) into the classroom. This includes allowing the students choices, breaks, and fun activities within the regular academics. It also includes assessing student behavior problems using functional analysis and teaching replacement skills based upon the negative behavior. It involves changing how staff responds to the negative behaviors. The outcome has been seen in the decrease in the number of suspensions, 11 in October between 3 students to none in the last 4 weeks. Eileen indicated that there has been resistance from staff and an inability to ignore minor disruptive behavior and a refusal to follow new recommendations in the behavior plan. An appropriate curriculum is the first line of defense to reducing problem behaviors in the classroom as well as an acceptance of responsibility and being open to training to understand problem behavior problems.

In dealing with children with behavior issues each district should use the person trained in their district as a BICM (Behavior Intervention Case Manager). Jill presented a current list of BICM certified staff within each district. Each fall the County Office provides BICM training. There is also an upcoming training with speaker Greg Hanley, which will address functional assessment and interventions in the classroom. Greg provides practical information in his workshops and is very entertaining. The workshop will take place on December 17th, at the Doe Avenue Complex, beginning at 8:30 a.m. and anyone interested in attending should register through the OMS system. There will be a workshop specific to preschool staff on December 16th as well.

REVIEW OF SGC PACKET: Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, reviewed the Superintendent’s Governance Committee agenda packet with the superintendents. Items included were:

- CASEMIS Special Education Enrollment Data – November – Marilyn pointed out that the District-served students are represented on the blue side with TCOE-served on the yellow side.

APPROVAL OF MINUTES: Minutes from the September 28, 2010 Special Superintendent's Governance Committee Meeting were presented for approval.

A motion was made by Connie Owens and seconded by Tim Hire to approve the minutes as presented. The motion carried unanimously.

PARENT LIAISON REPORT: Norma Erwin, Parent Liaison, shared a success story as a result of the parent liaisons' efforts with the superintendents. Norma indicated one of the parent liaisons received a call from a parent of a 5-year old who was utilizing a walker. The child was frightened by his school experience and did not want to go back to school. The parent liaison mailed information to the parent regarding 504 plans for accommodations and the parent was then able to be their own advocate at the child's school.

Norma also reviewed the goals and protocol for involving districts when a parent makes contact. While the above call was fairly straight forward, Norma indicated when the issues are more involved, she makes sure the DOSE is aware of the contact by the parent and follows up with the district to see that all issues are resolved.

Norma provided a copy of a letter sent out by the Community Advisory Committee (CAC) to all special educators in recognition of the "Day of the Special Educator". The letter was intended to recognize and express thanks to all of the staff in the County that provide services and touch the lives of children with special needs. Norma also presented the superintendents with the 2011 CAC "Meeting Challenges" calendar. This year the focus of the calendar was Autism and the Bright Future Program and is intended to increase community awareness as well as empower parents of children with Autism. Norma thanked all those involved in making the calendar a success which includes Bright Future staff for input, CAC members for photography and editing, and TCOE staff for compilation and coordinating publication.

AB3632 UPDATE: Jill Santivanez, Administrator, Tulare Area Severely Handicapped Program and Supervisor, TCOE Psychologists, provided the superintendents with an update on 3632 including the current working agreement between the Department of Mental Health and Education regarding services to special education students. Jill indicated it is currently business as usual with the Mental Health Department. There is no cause for alarm even though the funding status is uncertain. Jill indicated there are 119 students in SEIS data system eligible for 3632 services; however, only 78 are receiving services. The 3632 process needs to start with the school psychologist to ensure the services sought are those really needed by the child. Some services on the IEP are already provided by Metal Health through a wellness agreement with the parent. The DOSE will be asked to look more closely at the eligibility of students and what services are listed on the IEP and are being provided.

Jill indicated a FAA should be completed prior to making the 3632 referral to Mental Health. Once the referral has been submitted, Mental Health then determines placement. A note of caution is that this could be a placement out-of-county with costs paid by the district of residence. There is also a need to re-access a student that moves into the district who is currently 3632 eligible. The determination should be based on the fact the student cannot make educational progress without services provided by Mental Health.

CASEMIS REPORT: Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, reviewed the annual report presented to the SGC on special education enrollment as compared to total CBEDs. She indicated this report serves two purposes. One, it shows the percentage of special education students in each district. All districts within the County are under the statewide average of 10%. Part of this is due to the drop in numbers of those students identified with Speech and Language and Learning Handicapped disabilities over the last two years because of the implementation of Rtl countywide. Marilyn also shared an article that indicated nationally, the number of identified special education students is also down substantially. The second purpose of the report Marilyn presented is to keep the small school district special education percentage visible to larger districts since special education services are provided to the smaller districts by the County Office and “off the top funding” is used. The presentation is part of the annual check and balance report. There was a question on funding based on number of identified special education students. Since the 602 funding model has been implemented by CDE, funding is received based on total ADA, not number of identified students. Marilyn also indicated that the Special Disability Allowance (SDA) will sunset this year. This allowance was provided to SELPA’s that were perceived to have more severely disabled students than others...a concept since proven to be erroneous.

DOSE REPORT: Kathleen Daguman, representative from the Directors of Special Education Committee to the Superintendent’s Governance Committee, reported on the October and November DOSE meetings (*See October 4, 2010 and November 10, 2010 minutes*). DOSE received a presentation by Xay Xiong, Technology Manager, and the Assistive Technology staff on use of assistive technology in the classroom as well as an update on 3632 mental health services.

SELPA EXPENDITURES/REVENUES FOR 2009-2010: Patty Blaswich, Director, Internal Business Services, presented the superintendents with information regarding the SELPA/District expenditures and revenues for 2009-2010 as presented annually. Also presented was a pie chart reflecting district and TCOE portions of expenses, a bar graph with a nine year history of district versus TCOE expenses as well as a revenue trend line. District expenses continue to exceed TCOE (61.3% versus 38.7%) in the prior fiscal year. A spreadsheet showing the variance in each category from prior year was included. Patty noted that overall revenue was down last year by \$652K. The transportation category saw the greatest increase over prior year due to receipt of less funding and a greater contribution required. Patty also presented revenue and expenditure summary spreadsheet showing each funding source, 65000, SELPA, Low Incidence, Interpreters, Appropriations, and Federal PL94-142. Upon re-certification in the spring, any balance over \$2M will be distributed to districts as in the past.

MEETING WITH PRIVATE SCHOOLS: Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, informed the superintendents of the recent SELPA meeting of November 22, 2010, with representatives of private schools as required by state and federal law mandates which require a meaningful consultation. The meeting was attended by representatives from Central Valley Christian School and George McCann. They were both thrilled with the staff development opportunities provided by the County Office. The superintendents were presented with the estimated private school funding calculation which was also given to the private school representatives depicting the proportionate share of funding that must be allocated for services to parentally-placed private school students. These students are serviced under an ISP and no child has an individual entitlement as it has been agreed that those children with the most need will receive funding for services first. The proportionate share estimated for 2010-2011 is \$2,330 per child identified or served by an ISP.

SELPA POLICY #7627 – SERVICES TO ADULTS 18-22 INCARCERATED IN COUNTY JAIL (SECOND READING):

Dr. Marilyn Rankin, Assistant Superintendent, Special Services, and SELPA Administrator, presented to the superintendents SELPA Policy #7627 – Services to Adults 18-22 Incarcerated in County Jail for a second reading. This policy was emphasized by the State SELPA as being needed due to a Class Action Lawsuit in one County and to ensure incarcerated adults receiving special education services prior to entering the county jail may still receive services if they wish. Most times they elect to sign themselves out of special education. Upon SGC approval, the policy will move to the County Board for adoption.

A motion was made by Janet Kliegl and seconded by Dr. Carolyn Kehrl to approve SELPA Policy #7627 – Services to Adults 18-22 Incarcerated in County Jail as presented. The motion carried unanimously.

MISCELLANEOUS: Marilyn indicated the 2009-2010 Special Education Self Review (SESR) found most districts compliant. However CDE revisited Porterville Unified, Farmersville Unified, and Tulare City School Districts. Once again all were found compliant on additional file reviews and observations. The CDE staff was very complimentary in the exit meeting.

FUTURE AGENDA ITEMS: Janet Jones, Chairperson asked for future agenda items. Dr. Joe Hernandez suggested the superintendents be presented with recent case law on any hot topics. There was also interest in a presentation on the new open enrollment law and how it relates to special education. Routine agenda items will include Maintenance of Effort Update, Number and Ratio of FTE Aides and Teacher to Students in SH Classrooms, Number and Percentage of SH Students from Each District Served in SH Classrooms operated by TCOE, and a Preschool Funding Update.

NEXT MEETING: The next meeting will be held on Tuesday, January 18th at 12 noon in the Board Room of the Tulare County Office of Education.

HANDOUTS: AGENDA ITEM HANDOUTS: Resources and Referrals for Behavior Problems Presentation Handout; Draft minutes of the September 28, 2010 Superintendent's Governance Committee meeting; Community Advisory Committee (CAC) "Day of the Special Educator" Letter of Recognition and Thanks; 2011 Community Advisory Committee (CAC) Meeting the Challenges of Autism Calendar; Special Education Enrollment and CBEDs with Special Education Percentage by district for 2008 and 2009; 602 Expenses 2009-2010 Pie Chart; 602 Expenses 2009-2010 Historical Bar Graph with Revenue Trend Line; 602 Revenue/Expenditure Comparison 2009-10 vs 2008-09 by category and TCOE vs Districts; Special Education Revenue & Expenditure Summary 2009-2010 by Funding Source with Beginning and Ending Balances; Estimated Private School Funding Calculation for 2010-2011 with Proportionate Share per Student and by District; SELPA Policy #7627–Services to Adults 18-22 Incarcerated in County Jail.

MISCELLANEOUS HANDOUTS: CASEMIS Special Education Enrollment Data – November.

Janet Jones, Chairperson
Superintendents Governance Committee

Marilyn Rankin, Chief Administrative Officer
Superintendents Governance Committee