

Life After AB 3632

California Alliance of Child and Family Services

August 12 / August 19, 2011



California Alliance
OF CHILD AND FAMILY SERVICES

Agenda

- Introductions
- What just happened? Overview of budget language and implications for mental health & education
- What is a SELPA? How do districts and SELPAs interact?
- How is AB 602 funding calculated and allocated to SELPAs and districts in CA ?
- Lunch
- Your new world of education based mental health services
- Growth opportunities for NPA provided services to traditional public schools and charter schools
- Q & A throughout

What just happened?

- 2011-2012 Budget Bill (SB87) and 7 associated trailer bills.
- AB114 – Education trailer bill that makes changes to K-12, higher education and child care programs
- SB73 – Trailer bill with “Trigger” Expenditure reductions related to Health and Human Services.
- If cuts occur AB114 allows LEAs to shorten the school year up to seven additional days for 2011-2012 (subject to collective bargaining)
- Mental Health Services to Special Education students shifted from mental health to schools with funding
 - \$218.7 million added to Prop 98
 - \$98.6 million in one-time Prop 63 funds (MHSA) funding
 - \$69 M IDEA for educationally related MH services including residential

In 2011-12:

- \$218.7 M “shall be available only to provide educationally related mental health services, including out-of-home residential services for emotionally disturbed pupils...”
- Schools shall receive \$69 million in federal IDEA funding “only for the purpose of providing educationally related mental health services, including out-of-home residential services...”
- Schools may access \$98.6 M in MHSA funding specifically for mental health services for special education students

In addition...

- \$3 million to fund extraordinary cost pool necessary for small SELPAs
- \$31 million in one-time funding allocated to SELPAs on a per-ADA basis exclusively for mental health-related services, including residential services
- \$520,000 one-time funding for professional development
- Intent is that 2012-13 appropriation will be allocated on a per-ADA basis; Prop 98 will be re-benchmarked to account for loss of MHSA funding
- And it's not enough

**Mental health
funding for
“educationally
related mental
health services”**

- Funding is allocated to county mental health agencies based on their 2009-10 actual mandate reimbursement claims and can only be used to pay for 2011-12 “educationally related mental health services” provided by county mental health agencies pursuant to agreements with SELPAs

AB 3632

Remaining issues

- MOUs between local LEAs and Counties
- Clean-up legislation needed to repeal remaining AB 3632 related statutes
- Regulations need to be updated to reflect repeal of AB 3632
- New roles and responsibilities of each party need to be identified
- Medi-Cal reimbursement must be authorized for school agencies to draw down federal matching funds for Medi-Cal reimbursable services for Medi-Cal eligible children
- Managing and tracking utilization and costs of the program will be critical to justify future funding
- Discuss AB 114 Transition Workgroup

How far along are SELPAs and CMHs?

- CDE conducted survey of SELPAs
55 of 120 responded to date
35 responses analyzed

How far along are SELPAs and CMHs?

- **Q:** Have new procedures been developed in your area to replace the former AB 3632 requirements for collaborating with CMH in regard to each of the following?

	<u>Yes</u>	<u>No</u>
– Referral	32%	68%
– Assessment	29%	71%
– IEP Team participation	29%	71%
– Service planning	33%	67%

What is a SELPA?

- ***Special Education Local Plan Area (SELPA)***: the service area covered by the local plan for providing special education services to individuals with disabilities in that service area under the state and federal law (EC 56195.1).
- Each district and charter school must belong to a SELPA.
- Several districts may comprise a SELPA, or a single large district may comprise its own SELPA (e.g., LA USD).
- Each SELPA looks different, but what they have in common is:
 - ***LOCAL PLAN*** that determines how they provide services and establishes the governance structure
 - ***ALLOCATION PLAN*** that determines how they distribute funds.

SELPAs come in varying sizes and configurations

Single District
SELPA

Multi District
SELPA

Small or Rural
SELPA

Large SELPA

Charter Only
SELPA

LA Court
School SELPA

Special Education Governance

Special Education Local Plan Areas (SELPA)

Develops a plan for educating all students with disabilities within the SELPA

Receives and allocates State and Federal special education funds

Local Education Agency (LEA)

Participates in SELPA governance
Receives special education funds from a SELPA

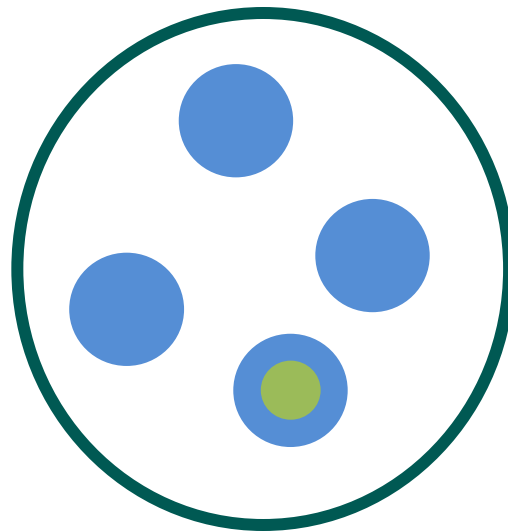
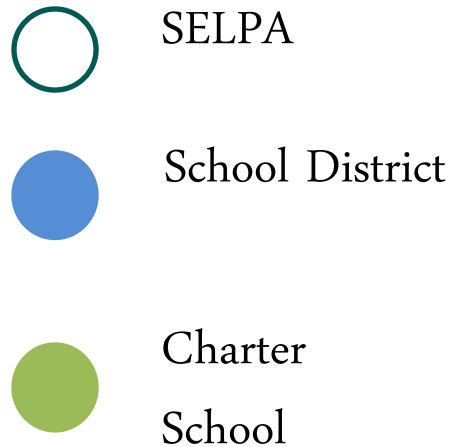
Carries legal responsibility for special education – ensuring access to *full continuum*

School

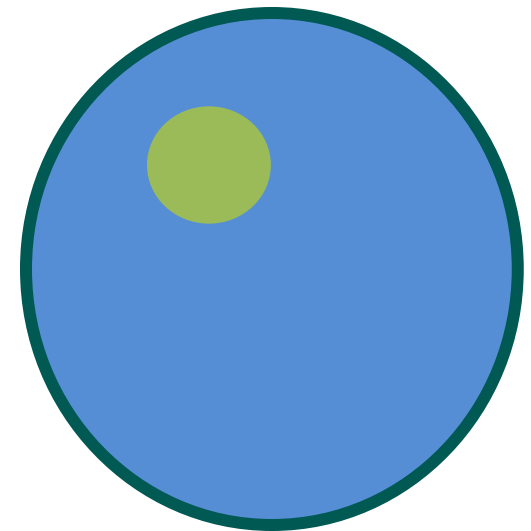
Identifies students who may need services

Supports service delivery for students at site

Structures for Special Education Governance in CA

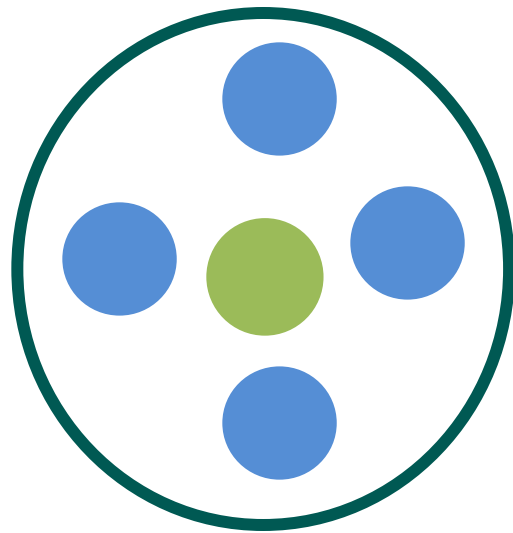
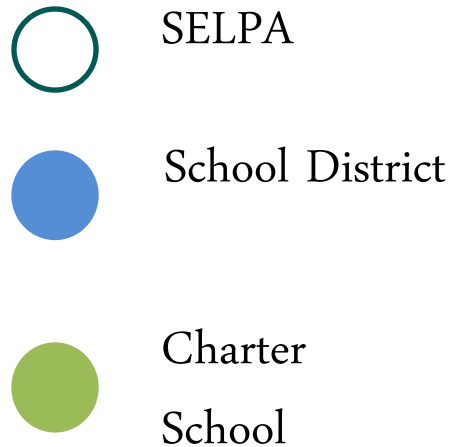


Multi-district SELPA
With Charter as
school of
Authorizing District

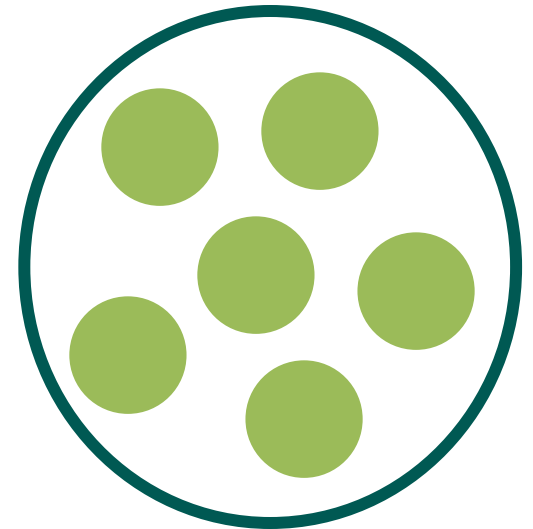


Single district SELPA
with Charter as school
of Authorizing District

Structures for Special Education Governance in CA



Multi-district SELPA
with Charter as LEA
for Special Education



Charter-only SELPA
with Charters as
LEAs for Special
Education

SPECIAL EDUCATION REVENUE

Sources of Special Education Funding

State, Federal, Local Contribution

Source data – County Superintendent September 2009 workgroup report (restated SACS data)

- Federal funding (IDEA): Covers about 10% of costs.
- State funding (AB 602 including property taxes): Covers about 60% of costs.
- Local contribution: Varies widely by LEA, but statewide average is around 30%.
- Special Ed funding falls approx 30-40% short of Special Ed expenses in the state

Sources of Special Education Funding

State, Federal, Local Contribution

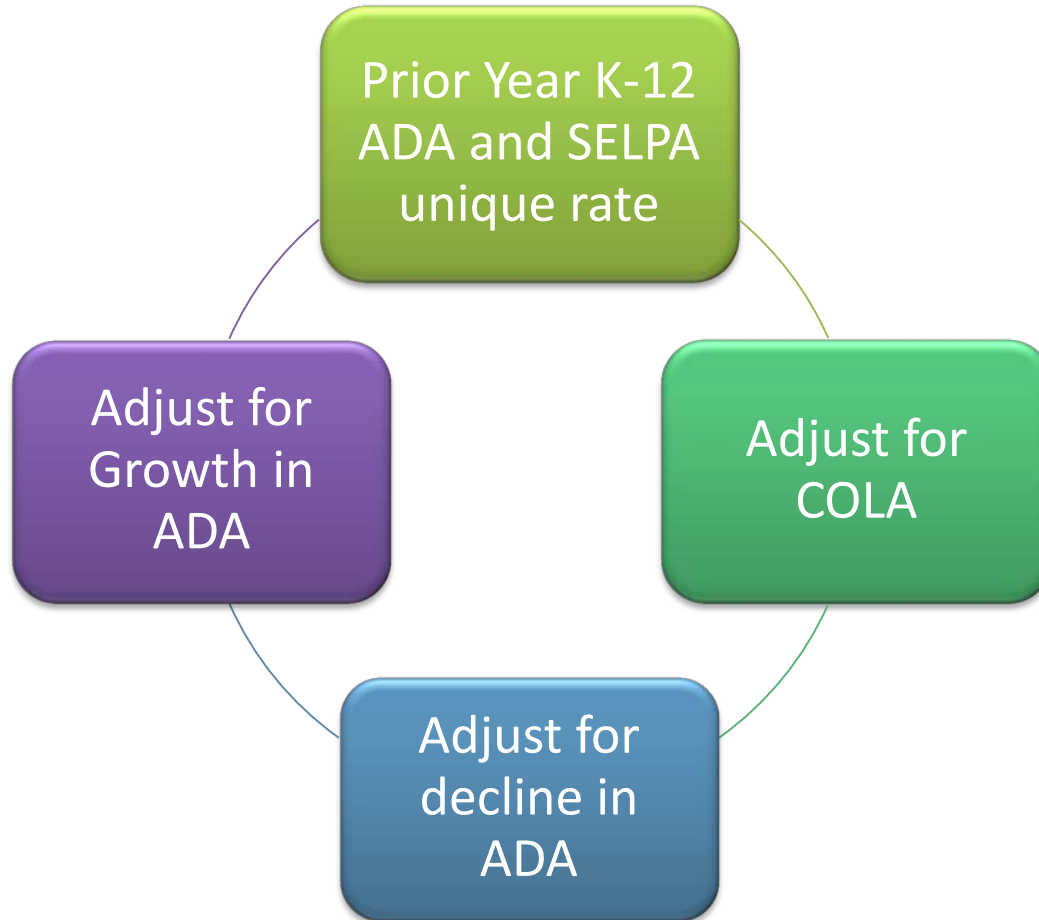
Source data – County Superintendent September 2009 workgroup report (restated SACS data)

Special Education Expenditures (Statewide Data)

	0	5,000,000,000	10,000,000,000	15,000,000,000
Total				
Expenditures (Local Resources)				
Expenditures (State Resources)				
Expenditures (Federal)				
	Expenditures (Federal)	Expenditures (State Resources)	Expenditures (Local Resources)	Total
2006-07	1,361,893,263	8,107,797,394	3,989,946,951	13,459,637,608
2005-06	1,318,267,955	7,380,623,329	3,477,908,181	12,176,799,465
2004-05	1,247,282,460	6,945,301,949	3,375,892,228	11,568,476,637

*Expenditures include direct costs & indirect costs

Basic Special Ed Funding Formula



Additional Funding Elements

Special Disabilities Adjustment – per high incidence multiplier

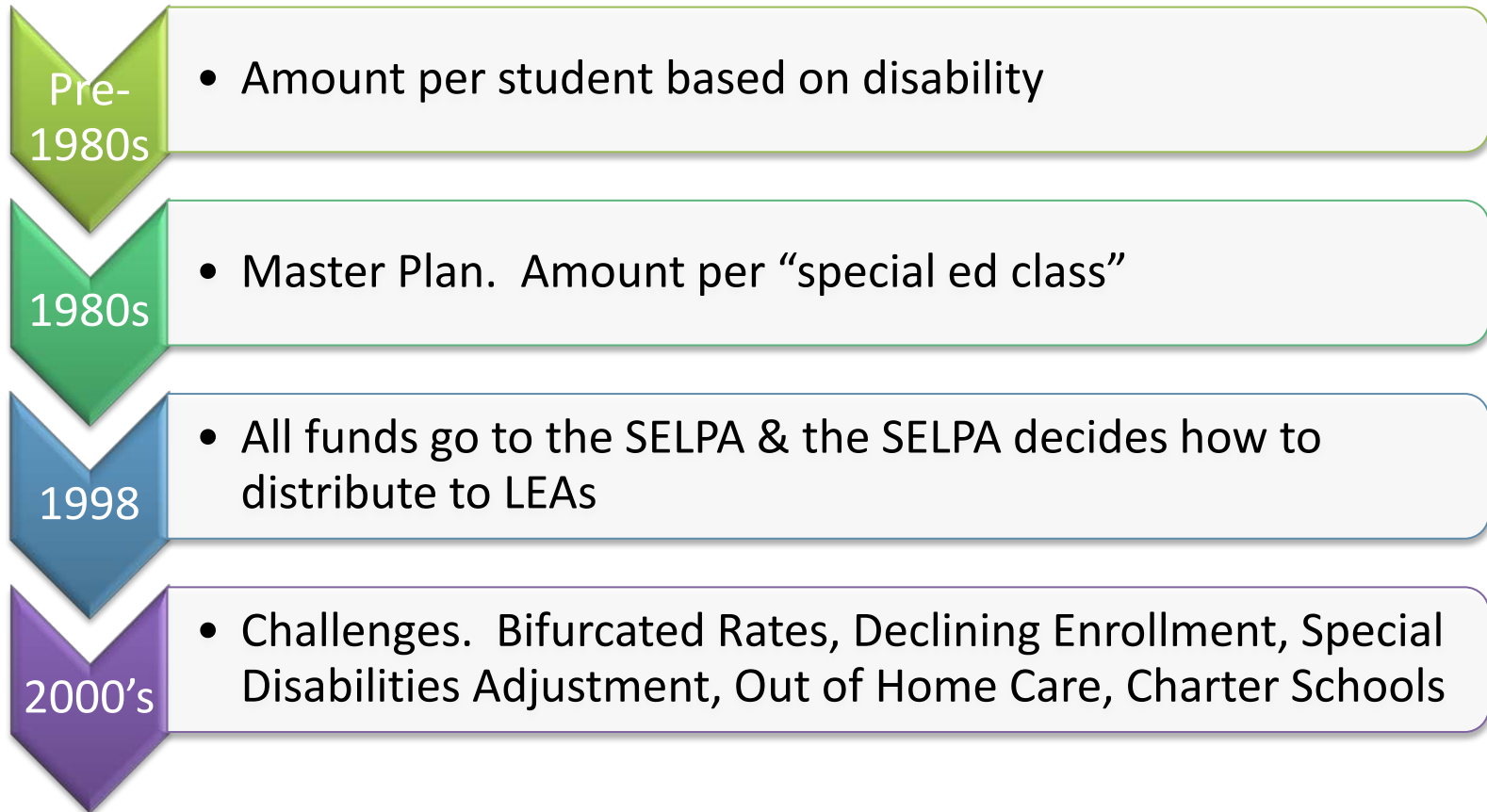
Program Specialist / Regionalized Services:
Current ADA x \$15.00 per ADA

Low Incidence Materials & Equipment: Specific pupil count x 353 per ADA

Out of Home Care: based on LCI/FFH and student beds

History of Funding

Special Education has a history of complex funding formulas that have one thing in common: *not enough money*.



Fundamentals that became AB 602 in 1997

- ***Flexibility***.....provide money to SELPAs and let each SELPA determine how to allocate resources to the wide range of services for the 0-22 population of students with special needs
- ***No Incentives***formula should move away from being driven by identified special education pupil counts and move to SELPA K-12 ADA as a basis for determining funding for the SELPA's. Underlying this was faulty assumption that all SELPAs are created equal...

16 SELPAs with base rates over \$700

Sorted by
Base Rate
(high to low)

	SELPA	2009-10 AB602 CY P2 ADA	Base Rate (2008-09)
1	25-CM Modoc County	1,524.72	1,077.78
2	23-AQ Mendocino County	12,162.48	980.86
3	53-AH Trinity County	1,582.27	952.85
4	21-AT Marin County	28,739.59	871.50
5	18-AL Lassen County	4,781.19	859.52
6	38-WW San Francisco County	53,045.63	827.62
7	43-NB Santa Clara COE III	35,964.33	818.23
8	47-AU Siskiyou County	5,709.90	808.52
9	26-CB Mono County	1,562.18	784.71
10	11-CI Glenn County	5,470.23	747.59
11	46-AW Sierra County	438.84	736.44
12	07-AZ West Contra Costa Unified	28,301.04	732.82
13	37-BW San Diego City Unified	116,770.52	726.83
14	49-AV Sonoma County	67,317.99	719.44
15	19-CJ Los Angeles Unified	637,213.84	718.09
16	44-SC North Santa Cruz County	18,340.30	717.00
17	04-CE Butte County	29,682.94	703.47

16 SELPAs with base rates under \$625

Sorted by
Base Rate
(high to
low)

1	43-NC Santa Clara COE IV	31,427.77	625.29
2	15-AM Kern County	99,550.48	625.29
3	43-QQ Santa Clara COE II	33,766.73	625.10
4	10-BE Fresno County	75,831.10	625.00
5	58-BC Yuba County	14,718.80	624.88
6	01-CU Tri-Valley	34,551.99	624.76
7	19-DF Santa Clarita	50,939.47	622.89
8	31-PL Placer County	64,815.54	622.59
9	10-FB Clovis Unified	36,141.62	622.31
10	30-YY Tustin Unified	21,600.69	619.78
11	39-DQ Lodi Area	31,255.44	619.71
12	33-AN Riverside County	276,379.31	614.61
13	15-AF Kern Union High	34,780.62	613.76
14	36-RR Desert/Mountain	98,305.35	612.62
15	51-BV Sutter County	19,307.90	612.16
16	33-EN Corona-Norco Unified	50,549.27	611.54

Growing SELPA's

37 SELPA's in growth
mode 2009-10

	SELPA	2009-10 AB602 CY P2 ADA	2008-09 AB602 CY P2 ADA	Growth or Decline	Base Rate (2008-09)
1	34-FC Folsom-Cordova Unified	18,350.81	18,303.17	47.64	\$ 628.80
2	19-DF Santa Clarita	50,939.47	50,888.83	50.64	\$ 622.89
3	20-AB Madera/Mariposa	30,108.69	30,048.04	60.65	\$ 626.94
4	18-AL Lassen County	4,781.19	4,702.79	78.40	\$ 859.52
5	15-AM Kern County	99,550.48	99,451.29	99.19	\$ 625.29
6	15-AF Kern Union High	34,780.62	34,674.28	106.34	\$ 613.76
7	34-EG Elk Grove Unified	59,028.51	58,915.44	113.07	\$ 642.74
8	16-AC Kings County	26,997.32	26,874.55	122.77	\$ 627.45
9	30-BL Newport-Mesa Unified	20,736.37	20,610.43	125.94	\$ 637.87
10	30-BK West Orange	46,841.86	46,708.08	133.78	\$ 691.72
11	28-CF Napa County	19,489.51	19,346.36	143.15	\$ 688.10
12	43-NF Santa Clara COE VII	14,323.67	14,167.11	156.56	\$ 649.83
13	33-MV Moreno Valley Unified	34,174.56	33,982.91	191.65	\$ 645.61
14	37-PW Poway Unified	32,574.82	32,364.95	209.87	\$ 632.71
15	54-CG Tulare County	91,677.27	91,450.87	226.40	\$ 627.29
16	30-CO Capistrano Unified	50,984.83	50,749.59	235.24	\$ 627.35
17	10-FB Clovis Unified	36,141.62	35,898.22	243.40	\$ 622.31
18	44-SC North Santa Cruz County	18,340.30	18,078.44	261.86	\$ 717.00
19	31-PL Placer County	64,815.54	64,515.96	299.58	\$ 622.59
20	30-BP Irvine Unified	26,165.07	25,860.81	304.26	\$ 640.88
21	51-BV Sutter County	19,307.90	19,002.90	305.00	\$ 612.16
22	10-BE Fresno County	75,831.10	75,474.00	357.10	\$ 625.00
23	43-QQ Santa Clara COE II	33,766.73	33,406.96	359.77	\$ 625.10
24	43-NB Santa Clara COE III	35,964.33	35,589.66	374.67	\$ 818.23
25	14-BF Inyo County	3,224.60	2,840.61	383.99	\$ 653.86
26	27-AS Monterey County	67,179.31	66,778.32	400.99	\$ 635.27
27	21-AT Marin County	28,739.59	28,337.48	402.11	\$ 871.50
28	43-NN Santa Clara 1	23,349.11	22,921.58	427.53	\$ 642.56
29	38-WW San Francisco County	53,045.63	52,579.49	466.14	\$ 827.62
30	39-BD San Joaquin County	62,920.82	62,421.83	498.99	\$ 630.46
31	41-CA San Mateo County	87,413.91	86,863.29	550.62	\$ 682.24
32	33-EN Corona-Norco Unified	50,549.27	49,946.98	602.29	\$ 611.54
33	30-YY Tustin Unified	21,600.69	20,928.56	672.13	\$ 619.78
34	07-SR San Ramon Valley Unified	27,112.59	26,221.88	890.71	\$ 675.09
35	37-PC East County	72,464.58	71,195.40	1,269.18	\$ 649.39
36	36-RR Desert/Mountain	98,305.35	96,663.91	1,641.44	\$ 612.62
37	33-AN Riverside County	276,379.31	274,009.72	2,369.59	\$ 614.61

Declining Enrollment SELPAs

85 SELPAs had declining enrollment in 2009-10

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	SELPA	2009-10 AB602 CY P2 ADA	2008-09 AB602 CY P2 ADA	Growth or Decline	Base Rate (2008-09)
1	19-CJ Los Angeles Unified	637,213.84	648,949.28	(11,735.44)	\$ 718.09
2	37-BW San Diego City Unified	116,770.52	120,479.18	(3,708.66)	\$ 726.83
3	37-PB North Inland	43,617.26	45,152.05	(1,534.79)	\$ 637.88
4	19-DC Mid-Cities	70,411.85	71,835.96	(1,424.11)	\$ 639.54
5	19-DY West San Gabriel	94,987.88	96,341.34	(1,353.46)	\$ 637.44
6	36-TT East Valley	82,651.99	83,899.61	(1,247.62)	\$ 640.54
7	30-MM North Orange	50,304.45	51,543.22	(1,238.77)	\$ 636.20
8	19-DL Long Beach Unified	82,605.48	83,807.29	(1,201.81)	\$ 638.90
9	19-DZ Puente Hills	36,383.53	37,572.29	(1,188.76)	\$ 641.67
10	48-BT Solano County	47,030.86	48,067.81	(1,036.95)	\$ 637.11
11	19-DE Pomona Unified	28,004.76	29,034.88	(1,030.12)	\$ 638.23
12	19-BY Whittier Area Cooperative	47,983.76	48,963.12	(979.36)	\$ 644.15
13	19-DX East San Gabriel	107,944.19	108,869.38	(925.19)	\$ 638.23
14	19-DA Antelope Valley	77,489.03	78,409.89	(920.86)	\$ 629.81
15	36-SS West End	119,858.34	120,658.46	(800.12)	\$ 636.05
16	10-BQ Fresno Unified	70,790.67	71,561.15	(770.48)	\$ 643.17
17	43-NC Santa Clara COE IV	31,427.77	32,102.41	(674.64)	\$ 625.29
18	30-MB South Orange	33,865.34	34,537.72	(672.38)	\$ 636.90
19	48-CD Vallejo City Unified	14,904.62	15,538.35	(633.73)	\$ 656.36
20	34-BS Sacramento City Unified	45,063.44	45,654.32	(590.88)	\$ 643.03
21	37-PP North Coastal	109,078.94	109,661.95	(583.01)	\$ 631.40
22	33-CH Riverside Unified	40,411.68	40,992.91	(581.23)	\$ 639.76
23	50-ZZ Modesto City Schools	28,382.77	28,960.59	(577.82)	\$ 638.33
24	19-DU Norwalk-La Mirada/ABC	39,972.69	40,535.58	(562.89)	\$ 641.26
25	45-AO Shasta County	26,131.59	26,693.04	(561.45)	\$ 679.93
26	07-BA Mt. Diablo Unified	32,789.52	33,324.12	(534.60)	\$ 694.96
27	09-BU El Dorado County	23,086.45	23,613.71	(527.26)	\$ 633.84
28	30-MA Greater Anaheim	57,308.55	57,828.03	(519.48)	\$ 635.48
29	01-CS Mid-Alameda County	48,121.55	48,640.17	(518.62)	\$ 636.01
30	04-CE Butte County	29,682.94	30,182.78	(499.84)	\$ 703.47
31	12-UU Humboldt/DeI Norte	21,180.65	21,678.83	(498.18)	\$ 639.16
32	36-TA San Bernardino City Unified	50,229.73	50,692.43	(462.70)	\$ 636.45
33	01-CU Tri-Valley	34,551.99	34,965.96	(413.97)	\$ 624.76
34	49-AV Sonoma County	67,317.99	67,729.58	(411.59)	\$ 719.44
35	56-AG Ventura County	146,026.36	146,427.18	(400.82)	\$ 636.36
36	43-ND Mt. Pleasant Elementary	114,353.71	114,738.39	(384.68)	\$ 636.17
37	19-DN Pasadena Unified	19,080.91	19,465.02	(384.11)	\$ 682.91
38	07-AZ West Contra Costa Unified	28,301.04	28,681.08	(380.04)	\$ 732.82
39	34-CN San Juan Unified	43,965.76	44,333.45	(367.69)	\$ 642.03

Declining Enrollment SELPAs

85 SELPAs had declining enrollment in 2009-10

(page 2)

	SELPA	2009-10 AB602 CY P2 ADA	2008-09 AB602 CY P2 ADA	Growth or Decline	Base Rate (2008-09)
40	30-BN Santa Ana Unified	54,954.53	55,309.79	(355.26)	\$ 636.77
41	19-DM Downey-Montebello	53,709.97	54,056.04	(346.07)	\$ 637.57
42	01-CL Oakland Unified	41,678.89	41,992.71	(313.82)	\$ 696.57
43	17-CC Lake County	8,659.53	8,943.97	(284.44)	\$ 653.69
44	23-AQ Mendocino County	12,162.48	12,444.55	(282.07)	\$ 980.86
45	30-BI Northeast Orange	30,583.14	30,857.96	(274.82)	\$ 636.65
46	55-TU Tuolumne County	6,357.33	6,626.09	(268.76)	\$ 679.07
47	37-PA South County	91,276.61	91,525.51	(248.90)	\$ 640.73
48	40-AJ San Luis Obispo County	32,817.03	33,060.15	(243.12)	\$ 637.14
49	42-AR Santa Barbara County	62,733.37	62,972.31	(238.94)	\$ 636.39
50	24-VV Merced County	53,280.71	53,515.31	(234.60)	\$ 662.63
51	15-BB Bakersfield City Eleme	25,576.97	25,792.72	(215.75)	\$ 636.83
52	19-DJ Foothill	45,315.85	45,529.47	(213.62)	\$ 641.29
53	25-CM Modoc County	1,524.72	1,722.88	(198.16)	\$ 1,077.78
54	36-RA Morongo Unified	8,859.11	9,048.13	(189.02)	\$ 657.82
55	58-BC Yuba County	14,718.80	14,903.08	(184.28)	\$ 624.88
56	34-BJ Sacramento County	57,979.03	58,162.59	(183.56)	\$ 629.70
57	03-MD Amador County	4,193.78	4,375.68	(181.90)	\$ 677.34
58	57-BH Yolo County	27,930.78	28,108.82	(178.04)	\$ 636.59
59	05-CV Calaveras County	6,016.46	6,191.56	(175.10)	\$ 678.38
60	47-AU Siskiyou County	5,709.90	5,872.02	(162.12)	\$ 808.52
61	39-BR Stockton City Unified	35,218.52	35,377.66	(159.14)	\$ 636.70
62	52-AE Tehama County	10,290.68	10,445.54	(154.86)	\$ 687.81
63	09-CP Lake Tahoe USD/Alpini	3,835.95	3,985.93	(149.98)	\$ 653.41
64	32-AA Plumas USD	2,228.51	2,367.42	(138.91)	\$ 644.15
65	30-BO Garden Grove Unified	46,479.86	46,614.88	(135.02)	\$ 662.26
66	13-BZ Imperial County	34,523.31	34,655.45	(132.14)	\$ 631.49
67	07-AY Contra Costa	70,866.90	70,998.54	(131.64)	\$ 691.70
68	11-CI Glenn County	5,470.23	5,590.59	(120.36)	\$ 747.59
69	30-BM Orange Unified	28,972.64	29,085.32	(112.68)	\$ 644.85
70	53-AH Trinity County	1,582.27	1,687.61	(105.34)	\$ 952.85
71	15-SI Sierra Sands Unified	5,073.72	5,177.13	(103.41)	\$ 636.64
72	29-NV Nevada County	12,526.57	12,613.64	(87.07)	\$ 637.29
73	01-CT Mission Valley	50,367.86	50,449.51	(81.65)	\$ 636.63
74	35-SB San Benito County	10,772.36	10,849.75	(77.39)	\$ 636.27
75	01-CR North Region	25,158.32	25,230.13	(71.81)	\$ 696.81
76	36-FA Fontana Unified	38,982.07	39,034.51	(52.44)	\$ 634.42
77	39-DQ Lodi Area	31,255.44	31,306.84	(51.40)	\$ 619.71
78	19-BX Tri-City	22,371.87	22,421.97	(50.10)	\$ 669.61
79	50-XX Stanislaus County	70,553.98	70,598.17	(44.19)	\$ 630.10
80	44-PV Pajaro Valley	18,503.60	18,547.45	(43.85)	\$ 681.78
81	06-AD Colusa County	4,273.80	4,314.56	(40.76)	\$ 631.48
82	26-CB Mono County	1,562.18	1,597.97	(35.79)	\$ 784.71
83	46-AW Sierra County	438.84	471.40	(32.56)	\$ 736.44
84	19-DG Southwest	102,315.09	102,345.97	(30.88)	\$ 643.51
85	30-MC Anaheim Elementary	18,584.36	18,603.48	(19.12)	\$ 639.74

ALLOCATION PLAN

The Allocation Plan

- Funds go to LEAs within a SELPA in accordance with the locally developed allocation plan
 - NO guidelines for what an Allocation Plan should look like. Based upon SELPA decision making that has evolved since 1998-99
 - Allocation Plan should also incorporate Charters
 - Charter may elect to be treated same as school within their sponsoring LEA
 - OR may elect to be separate LEA within the SELPA
- No discrimination – Charters treated equal to other LEAs IF they elect to become LEAs

Issues Arising in Development of Allocation Plans

- NPS/NPA Funding
 - Should SELPA NPS/NPA funding/costs be pooled?
 - Or allocate to each LEA based on 1997-98 funding level and they are responsible for their costs?
- Out of Home Care Funding
 - How is funding distributed?
- Charter Schools
 - How are they addressed in the allocation plan?
- Deficits
 - If the state has a deficit in funding – how does the SELPA allocation plan address?
- Cash Flow (new item)
 - New issue because of deferrals and problems with adequate cash flow

WELCOME TO YOUR NEW WORLD

With their new money, SELPAs may...

- Pay LEAs or Charters to provide educationally necessary mental health and related services for students pursuant to their IEPs, or
- Purchase them from county mental health agencies, or
- Purchase them from NPSs and NPAs.

You can't and the Alliance can't force SELPAs to buy your services.

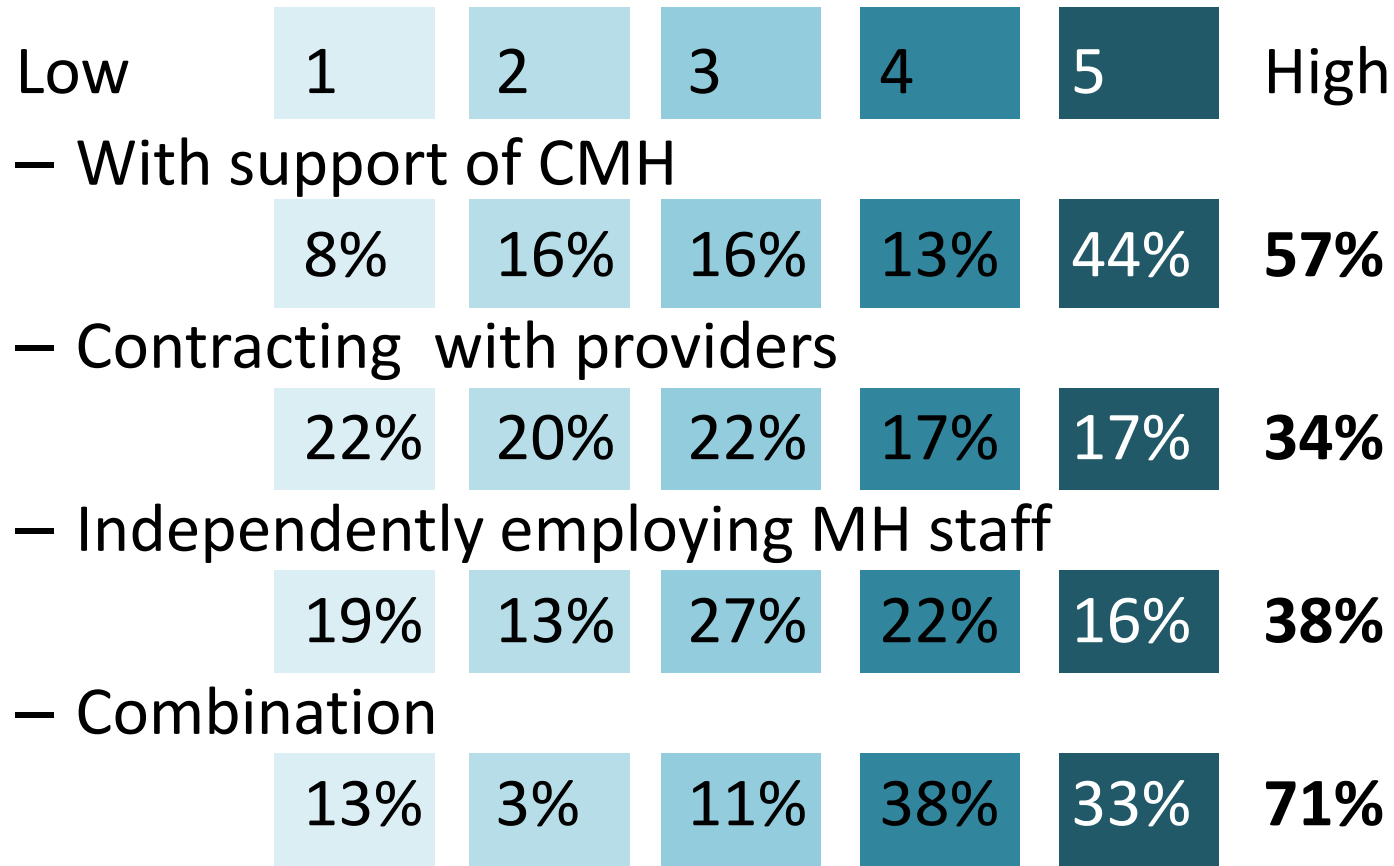
How far along are SELPAs and CMHs?

- **Q:** Has SELPA or LEAs in SELPA considered becoming provider of specialty MH services under EPSDT?

Considered/in process	17/45.9%
Not considered	7/18.9%
CMH does not appear to support	4/10.8%
Not yet	3/8.1%

How far along are SELPAs and CMHs?

- **Q:** How would you rate your SELPA's ability to assess and provide for education-related MH services?



SELPAAs become brokers of services

- Instruction
- Counseling and therapies
- Residential
- ...virtually any service a student may need to take advantage of his/her FAPE

Does that include...

- NPS? **YES**
- Day treatment? **YES**
- Wraparound? **YES**
- Case management? **YES**
- BICMs and BIIIs? **YES**
- Evidence-based practices, such as MST? FFT?
TI-CBT? **YES**
- TBS? **YES**
- Service brokerage? **YES**

May we provide those services in...

- General ed classes? **YES**
- Charter schools? **YES**
- Special day classes? **YES**
- As pull-outs? **YES**
- Our own NPS? **YES**
- Somebody else's NPS? **YES**
- The student's home? **YES**
- The community? **YES**

How do you get SELPAs to use your services?

- You will have to market your agency and your services to SELPAs.
- You will need:
 - Relationships
 - Well defined services
 - History of success (good outcomes and testimonials)
 - Understanding of your costs to provide the services

How do you get SELPAs to use your services?

- You will need to be able to respond quickly to RFPs.
- You will need:
 - Well defined services
 - History of success (good outcomes and testimonials)
 - Understanding of your costs to provide the services
 - A team that can put together a winning combination of services at a competitive price point
 - Someone who can write a winning proposal

What services do SELPAs want to purchase?

- What are you hearing from SELPAs?

How far along are SELPAs and CMHs?

- **Q:** Are you anticipating a change in number of residential placements?
 - Anticipate no change 18/48.6%
 - Anticipate increase or decrease 6/27.0%
 - Will make individual decisions per IEP 4/10.8%

How far along are SELPAs and CMHs?

- **Q:** Are you anticipating a change in number of students in day treatment?
 - Anticipate no change 8/21.6%
 - Anticipate increase 8/21.6%
 - Examining LEA-based alternatives 7/18.9%
 - No day treatment currently provided 5/13.5%

A couple things to keep in mind

- You are now operating in an education environment, not a mental health environment.
- SELPAs know virtually nothing about mental health services...
 - What they are.
 - How much they cost.
 - What works best for which kids.
 - The intersection between EPSDT funded mental health services and education funded services.

Negotiating how much you're paid

Service types	Current rates	Alternate Ed. prices	Considerations and possible remedies
Residential services	RCL rate	Education price	<ol style="list-style-type: none">1. RCL presumes rates cover average cost of care2. Lower Ed rate could be seen as diluting care for Foster or JJ youth3. May require separate residential programs for Ed and FC/JJ
MH services	EPSDT rate	Education price	<ol style="list-style-type: none">1. Federal law requires Medicaid pay lowest rate for any service2. Lower Ed rate for same service would jeopardize EPSDT rate in given county3. May require different service titles, descriptions, and staffing couched in non-Medi-Cal language; i.e., distinguish as different services

CHARTER SCHOOL

Charter School Facts



Charter Schools:

- Are PUBLIC schools that serve ALL students
 - Are tuition-free
 - Employ fully credentialed/HQ teachers
- 5,043 charter schools in US, serving more than 1.5 million students (2009 data)
 - In California, more than 900 charter schools, serving more than 400,000 students
 - California Charter Student Demographics:
 - Hispanic/Latino – 41%
 - White – 35%
 - African-American – 12%
 - Asian – 4%
 - Other (Indian, Pacific Islander, Filipino, Multi-Racial) – 8%
 - Special Education Students – 7%
 - English Language Learner Students – 18%

Charters get results for students because they have:

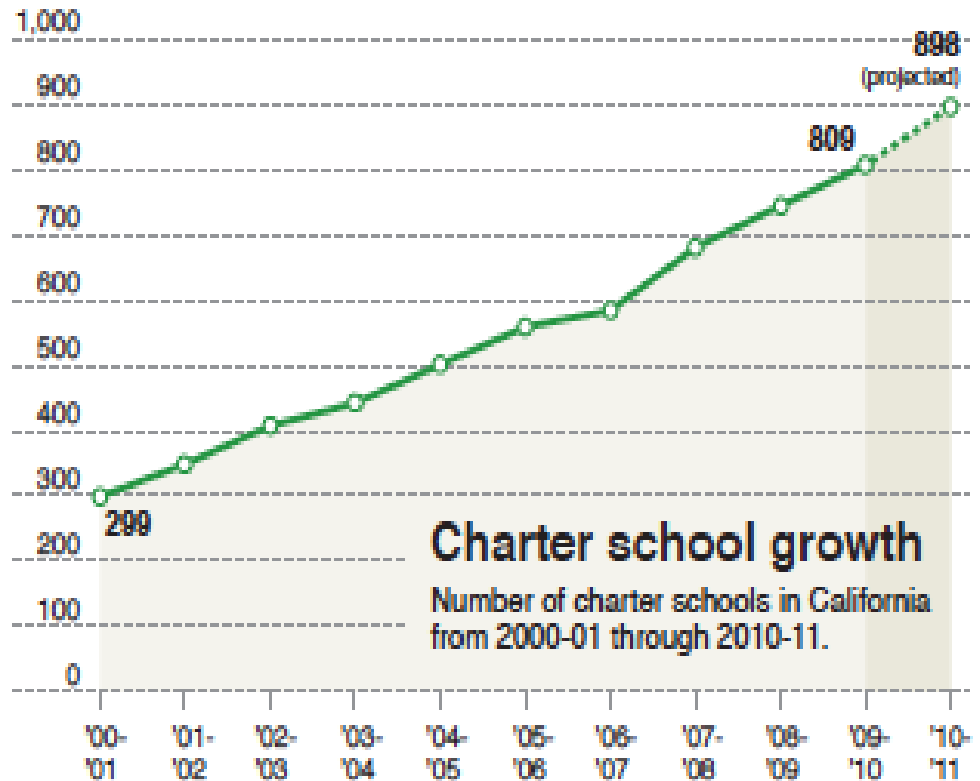
Charter School Facts



- More flexibility on curriculum, budget and staffing
- Greater ability to make quick and effective changes to meet a student's need
- High level of accountability with review and renewal every 5 years
- Decisions made at the teacher level
- Parents encouraged by the school to work as a team with teachers to advance their child's academic progress

Charter School Growth in CA

- In 2009, California charter schools grew by 20%, serving 56,000 new students.
- Fall 2010-11: 115 new charter schools opened at the beginning of the school year in California.
- By 2017-18, or the 25th anniversary of the state's charter movement, more than 1,000,000 students will attend California charter schools.

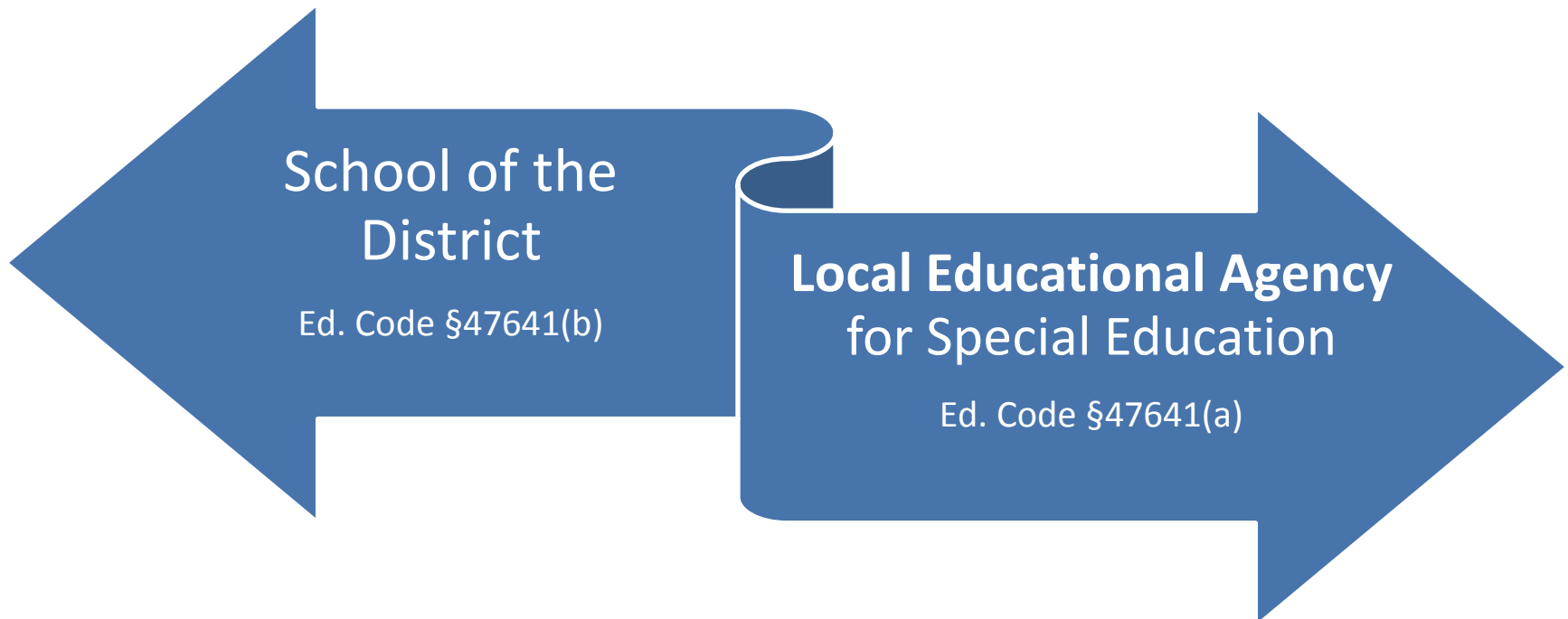


Source: California Department of Education

BRIAN CRAGIN / CALIFORNIA WATCH

Who is responsible for Special Education Services to Students in Charter Schools?

TWO OPTIONS EXIST for special education service delivery and responsibility:



Currently, 90% of charter schools are **SCHOOLS OF THE DISTRICT** for special education purposes.

School of the District

- Default - If charter school does not *specifically* elect to be an LEA, it will be deemed to be “public school” of LEA that granted charter.
- District is Responsible: The entity that granted the charter is the LEA and is responsible for ensuring all children with disabilities enrolled in the charter school receive a free appropriate public education.

Charter School as LEA for Special Education

- Of 900 Charters in state, 130 are LEAs for special ed., up from 75 last year.
- SELPA Membership
 - The charter school must apply for membership
 - Equal access to funding
 - Flexibility in funding
- LEA Responsibility
 - Provide special education services to all eligible students enrolled in the charter school
 - Ensure access to the *full continuum* of placements and services

Charter School as its own LEA	Charter School as a school of an LEA
GOVERNANCE	
<p>Charter must be accepted as a member of a SELPA.</p> <p>Charter participates in governance and decision-making of SELPA and represents the interests of its students</p>	<p>LEA (e.g., district), not Charter, is member of the SELPA.</p> <p>LEA participates in governance of SELPA and must represent the Charter</p>
RESPONSIBILITY & SERVICES	
<p>Charter must enroll special ed. students in same manner it enrolls regular ed. students.</p> <p>Charter must ensure all its students with disabilities receive FAPE</p> <p>To do so, Charter must be able to provide full “continuum of services” for its students.</p>	<p>Charter school must enroll special ed. students in same manner it enrolls general ed. students.</p> <p>LEA - not Charter - must ensure all Charter students receive FAPE.</p>
SPECIAL EDUCATION FUNDING	
<p>Charter receives special education funds and/or services in accordance with SELPA plan.</p>	<p>Charter receives special education services in same manner as provided to other public schools of that LEA.</p> <p>Charter may enter into MOU, with LEA to change some aspects of service delivery.</p>

JPA or Consortium

- Several Charter Schools coming together to:
 - Share services
 - Pool risk
 - Share funding and expertise
- What does the future hold?
 - All Charter Schools participate as LEAs in SELPAs
 - Innovative Charter Spec. Ed. settings, Response-to-Intervention (RtI), Flexible Services, Special Education Director in JPAs, Expertise Availability
 - Need for the full continuum

So, you could contract with...

- SELPA
- District
- Charter school
- Charter Management Organization (e.g., Aspire)
- JPA or Consortium of charter schools

Charter Opportunities

- Crucial conversations occurring in many areas of the State
- SELPA growth, however, don't have the continuum of services
- Charters are gathering regionally to join forces
 - Provide full continuum of services
 - Share staff
 - Negotiate with SELPAs
 - Form consortia – JPAs

Q and A / Next Steps

- NPS/NPA Application

Thank You!

- Contact:
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- Information in slides pulled from the following:
 - School Services of CA
 - El Dorado County Office of Education
 - CA Charter Schools Association
 - The magnificent brain of Carroll Schroeder!