



El Dorado County SELPA Allocation Plan

November 2020

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Part I- Guiding Principles and Participants

The El Dorado County Special Education Local Plan Area (SELPA) is a consortium consisting of the El Dorado County Office of Education (EDCOE) and 14 local educational agencies (LEAs) on the western slope of El Dorado County. Lake Tahoe Unified School District, although geographically located within El Dorado County, is a member of a separate SELPA. The SELPA must ensure that special education services are available to all eligible children residing within the region and must oversee the distribution of special education funds to LEAs. The Local Plan describes how EDCOE provides special education services, and the Allocation Plan describes how the special education funding is distributed.

Culture - They Are All Our Kids

The SELPA strives to ensure that all pupils with exceptional needs receive an appropriate program regardless of where the students reside. LEAs have agreed to work together to share resources and support to meet the expectations of the federal Individuals with Disabilities Education Act (IDEA). Some examples of these supports include operating regional programs, maintaining shared risk pools, and ensuring equitable distribution of funds to LEAs.

Shared Decision-Making

It is the intent of the consortium to reach consensus prior to making decisions through collaborative, transparent dialogue, and ongoing refinement. The final decision-making authority rests with the Superintendents' Council. Over time EDCOE has developed a decision-making cycle that aligns with our values and leads to the best actions based on available information at the time.

SELPA Members

- Black Oak Mine Unified School District
- Buckeye Union School District
- Camino Union School District
- El Dorado County Office of Education
- El Dorado Union High School District
- Gold Oak Union School District
- Gold Trail Union School District
- Indian Diggings School District

- Latrobe School District
- Mother Lode Union School District
- Pioneer Union School District
- Placerville Union School District
- Pollock Pines School District
- Rescue Union School District
- Silver Fork School District



Governance Structure

The SELPA governance structure is detailed in the Local Plan. Recognizing that individual LEAs have resources that often vary according to their relative size and geographic location, the governance structure seeks to provide equity in the sharing of resources to students within the SELPA.

SELPA Superintendents' Council

The SELPA Superintendents' Council consists of superintendents from each of the participating school LEAs and EDCOE. The meetings are held regularly throughout the year, and meeting times are posted on the EDCOE website. The SELPA Superintendents' Council considers the Executive Committee's recommendations and acts as appropriate. The SELPA Superintendents' Council has final authority to act upon fiscal and policy recommendations.

Executive Committee

The Executive Committee is comprised of superintendents from five school districts and the SELPA leadership. The SELPA Superintendents' Council appoints the district superintendents serving on the committee. The Executive Committee meets as needed to consider the recommendations from the SELPA and SELPA Steering Committee to address identified areas of interest.

SELPA Steering Committee

The SELPA Steering Committee is comprised of special education program leads from member LEAs. SELPA leadership communicates regularly with the SELPA Steering Committee to share information, provide technical assistance, and gather information that may result in recommendations for the Executive Committee.

Regional Program Review Process

An important part of the Allocation Plan, and subsequent financial projections, is a determination whether any regional growth programs are to be funded or whether any existing programs will be disbanded.

The SELPA Regional Program Review Committee (previously known as the Growth Committee) meets prior to December to review regional growth requests for the following year and prepares a recommendation, which the SELPA Steering Committee and the SELPA Executive Committee review. The SELPA Superintendents' Council consideration and subsequent approval, with identification of funding sources, is completed by February of the following year. The goal of this timeline is to ensure decision-making is done prior to March 15 staffing decision deadlines.

SELPA Activity	Timeline
Regional Program Review Committee makes recommendation	Fall
Steering Committee reviews recommendation	January/February
SELPA Executive Committee reviews recommendation	January/February
SELPA Superintendents' Council takes action on recommendation	January/February



SELPA Administration

The SELPA administers the Allocation Plan and is responsible for preparing and updating the allocation of funds on a regular basis. The SELPA prepares the allocation of funds based on the SELPA Superintendents' Council approved parameters outlined in the following document.

El Dorado County Office of Education

EDCOE is the administrative unit of the El Dorado County SELPA. Pursuant to the provisions of Education Code Section 56030 et seq., the administrative unit shall receive and distribute regional service funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in member LEAs in the county specified in the Local Plan and approved by the State Board of Education. In addition, the administrative unit shall perform such services and functions as required to accomplish the plan's goals.

Allocation Plan Timeline

The El Dorado SELPA Allocation Plan is a dynamic document that is amended and updated based on the needs of member LEAs, and in response to legal and regulatory actions. SELPA leadership will regularly review the Allocation Plan to ensure that the document is cohesive and accurately reflects the SELPA Superintendents' Council's decisions. If SELPA leadership determines that the document requires a comprehensive review and possible revision, recommendations and a proposed timeline will be presented for consideration to the Executive Committee and SELPA Superintendents' Council.



Part II – Funding Sources

California Special Education Funding

Special education services are subsidized through three distinct funding sources – state, federal, and local.

STATE FUNDING

State Base Funding

California Assembly Bill 602 (AB 602) is the 1997 legislation that authorized the current special education funding model in the state. The model implemented a “census-based” special education funding structure. The formula allocates funding based on a SELPA’s total average daily attendance (ADA), with the remainder distributed based on specific circumstances, rather than on the number of students identified to receive special education services. The SELPA is charged with developing its own allocation plan to distribute the funds to member LEAs.

AB 602 established that state special education funding is based on the level of special education revenue received in 1997-98. This level is based on a complicated formula that traces back to unique LEA expenditures in 1979-80. As a result, SELPAs throughout the state have different rates of per-ADA funding.

Out-of-Home Care Funding

The Out-of-Home Care (OHC) Program provides funding through AB 602 to SELPAs for pupils residing in group homes and six other types of facilities located within a SELPA’s geographic boundaries, including licensed children’s institutions (LCI) and foster family homes (FFH). The SELPA receives an allocation based on the number of LCI/FFH beds in the county.

Low Incidence Funding

Low incidence funding flows to SELPAs through AB 602 to support specialized services for students with low incidence disabilities as required under the student’s Individualized Education Program (IEP). Low incidence disabilities are defined as hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof. Expenditures are limited to supporting low incidence specialized services (e.g., interpreting, orientation and mobility, transcription); and specialized books, materials, and equipment (e.g., assisted hearing devices, specialized chairs). The SELPA receives low incidence funding based on the number of low incidence students with an identified primary or secondary low incidence disability in the SELPA as of the December 1 California Special Education Management Information System (CASEMIS) count.

Educationally Related Mental Health Services Funding

On June 30, 2011, AB 114 changed the process by which students in special education receive mental health services. Previously, under AB 3632, county mental health departments provided



services. However, realignment under AB 114 requires all California school districts to be solely responsible for ensuring that students with disabilities, as designated by their IEP, receive the mental health services necessary to benefit from a special education program.

The California Department of Education (CDE) distributes funding directly to SELPAs based on the ADA of all pupils in the SELPA (regardless of how many pupils have an IEP or disability). SELPAs then determine how to allocate dollars to the individual districts and schools.

Infant Funding

In 1986, the federal government authorized grants to states to plan and implement a comprehensive, community-based, interagency system of early intervention services for infants and toddlers with disabilities and their families, IDEA, Part C. State legislation enables California to participate in the program and create a statewide mandate for LEAs to serve all infants and toddlers who have solely low incidence disabilities.

The CDE receives funds from the Department of Developmental Services for local assistance through an interagency agreement for the costs LEAs incur in implementing the federal and state requirements. Funds are administered through formula grants based on each SELPA's specific cost impacts:

1. Number of additional children with low incidence conditions to be served
2. Additional required services
3. Additional required procedures
4. Regionalized services and administration

The SELPA also receives a state apportionment for special education infant programs that operate early education programs for individuals with exceptional needs who are younger than three years of age. The SELPA receives state infant funding in the form of "units," with the requirement that the SELPA continues to operate specific full-time equivalent (FTE) programs for serving infants with low incidence disabilities. While actual FTE may extend beyond funding, the base funding amount received will not increase correspondingly. Conversely, if FTE decreases below the "unit" allocation, funding will decrease.

In addition to the above funding, EDCOE receives revenue as a vendor of the Alta Regional Center to provide services to infants who qualify for regional center services. The funding received through the Alta Regional Center contract is administered outside of the Allocation Plan.

FEDERAL FUNDING

Federal Base Funding

The 1975 Individuals with Disabilities Education Act (IDEA) provides federal local assistance funding. IDEA, Part B, supports the expense of educating and providing related services to students ages three through 21 years identified with disabilities. The grant amount is based primarily on prior-year enrollment, with adjustments for an historical base amount and poverty.



As the sub-grantee of this funding, the state provides the guidelines for these funds through the annual Budget Act.

Preschool Funding

The federal preschool instructional programs provide funding for special education and services to children with disabilities ages three through five. This funding is a subgrant of IDEA, Part B. Funding is based on a federal three-part formula: December 1999 California Special Education Management Information System (CASEMIS) pupil count, ages three through 21 years, and identified on an IEP; 2014 kindergarten through grade 12 (K–12) enrollment (public and private); and 2014 K–12 poverty count (free and reduced-price meal counts).

Educationally Related Mental Health Services Funding

Mental health ADA allocation funding supports mental health services that SELPAs provide to special education students, in accordance with IDEA, Part B. Grant funds are available only for the purpose of providing educationally related mental health services (ERMHS), including out-of-home residential services for emotionally disturbed students, required by an IEP. The grant awards allocated to each SELPA are calculated on the basis of prior-year second principal apportionment (P-2) ADA. SELPAs then determine how to allocate dollars to the individual districts and schools.

LOCAL FUNDING

Local Control Funding Formula Transfer

In 2014-15, the SELPA Superintendents' Council agreed to a formula to transfer the Local Control Funding Formula (LCFF) revenue generated for students being served in regional classrooms and nonpublic schools (NPS) for whom claims have been submitted to the Shared Risk Pool, see page 10. The transfer amount is determined by multiplying the ADA calculated for each program/placement by the unique LCFF rate for the LEA of residence from which the ADA derives. The unique rate shall include the phase-in percentage, as well as the unduplicated supplemental/concentration pupil count, for the district of residence.

- Special Day Class (SDC) ADA is determined at P-2.
- SDC-extended year, NPS, and LCI ADA are determined at annual apportionment.
- The transfer will coincide with monthly SELPA revenue transfers that flow to LEAs.

Local Contribution

Federal and state special education funds never were intended to cover the full costs of educating a student with disabilities. Instead, the bulk of the “regular” education costs are intended to be covered using LCFF funding, just as for nondisabled students. Moreover, federal and state special education funds never were intended to fully cover the excess costs of educating a student with disabilities. The special education funding model always has been predicated on a three-way cost-sharing model, including local sources.



Part III: Uses of Funding

Overview of Uses of Funding

Funds that the SELPA receives are distributed via the Allocation Plan to the following areas:

- SELPA services
- Shared Risk Pool
- Low incidence equipment/materials pool
- Regional programs
- Educationally related mental health services
- Nonpublic school costs for students in foster care
- LEA per-ADA funding
- Charter schools
- Distinct EDCOE programs

SELPA Services

The El Dorado County SELPA works in partnership with local LEAs and families to support the provision of quality special education services and supports to students in both LEA and county programs. In addition, SELPA staff assist families and LEAs in navigating the complex laws and processes that surround special education.

The SELPA strives to provide LEAs with the information and tools they need to develop and refine quality programs, implement high-quality educational practices, provide a full continuum of services and supports, and fully comply with legal mandates. The SELPA's services to LEAs include:

- Providing professional development for school staff based on requests and identified needs.
- Assisting with managing and monitoring student data and records.
- Offering resources, such as comprehensive procedural guidelines and mental health guidelines.
- Allocating special education funds.
- Providing resources regarding outside agency services and supports.
- Developing, coordinating, and evaluating programs.

The SELPA is dedicated to providing information and support to families of children with special needs so they can be informed partners in the educational process. The SELPA is available to support parents and families with technical, procedural, and programmatic questions that may arise regarding IEPs and special education laws and processes. The SELPA's services to families include:

- Organizing and hosting Community Advisory Committee meetings.
- Providing access to program specialists to answer questions regarding special education programs and procedures.



- Offering services to support local dispute resolution, including IEP facilitation and local resolution.
- Training surrogate parents.

Funding Sources

State base: SELPA services funding - program specialist/regional services, personnel development.

Shared Risk Pool

In 2017-18, superintendents created a Shared Risk Pool to provide partial reimbursement for qualifying NPS costs, legal costs, and costs associated with special circumstances that require high-cost services for individual students. This action discontinued the separate special needs and NPS pools. Pool access rules and criteria for each of the categories are designed and agreed upon to actively manage the financial health of the pool from year to year. The criteria for reimbursement consideration, and related forms, can be found in the Shared Risk Pool Procedures located on the EDCOE website. LEAs wishing to receive reimbursement from the Shared Risk Pool should complete the Shared Risk Pool Participation form. The Shared Risk Pool also includes two set-aside reserves for one-time growth and NPS/nonpublic agency (NPA) infants. Details of these two set-asides can be found on page 18.

Nonpublic School Placements

Nonpublic schools are private and nonsectarian, and the state of California certifies them to provide special education services to students based on their IEP. These schools offer an environment to help youth who are struggling academically, behaviorally, and socially. For a child to be placed at a nonpublic school, the IEP team must agree that the child's needs cannot be met in a less restrictive environment (in an LEA or county program).

Education and transportation costs associated with NPS placements may be eligible for 50 percent reimbursement from the Shared Risk Pool. Total reimbursement will be based on actual days of attendance, not to exceed 185 days of regular school year attendance and 25 days of extended school year attendance, net of the LCFF revenue received for actual days of attendance. To be eligible for reimbursement, claims must meet all of the reimbursement criteria.

Costs for transportation to and from the nonpublic school are only eligible for reimbursement if transportation is required per the student's IEP. If the parent transports the student, the cost of transportation will be reimbursed for each day of attendance at the current federal mileage reimbursement rate for daily mileage to and from the student's residence and the nonpublic school. If the LEA provides the transportation, the SELPA and LEA will agree on a single daily reimbursement rate for each day of attendance, consisting of a labor component and a mileage component.

Costs for related services, including educationally related mental health services, are not eligible for Shared Risk Pool reimbursement and should be paid in full by the placing LEA.



Legal Costs

It is the intent of the El Dorado SELPA that legal disputes be resolved at the local level whenever possible. The SELPA provides alternative dispute resolution services, including IEP meeting facilitation, technical assistance and support, and resolution sessions, in an effort to preserve school/family relationships and resolve disputes quickly and efficiently. However, the SELPA superintendents recognize that occasionally LEAs may incur costs as the result of unavoidable disputes or litigation. For these reasons, the SELPA created a Shared Risk Pool. Legal costs associated with any of the following are eligible for 50 percent reimbursement from the Shared Risk Pool:

- Office of Civil Rights complaints, due process complaints, compliance complaints, or any other legal proceeding.
- Settlement agreements (including legal fees and compensatory education).

Eligible costs must relate to an individual student where the student qualifies for special education and where the legal issue is related to the provision of a free and appropriate public education, or the dispute concerns whether the student should qualify for special education.

Special Circumstances Student Costs

Occasionally, a student may require intensive services and supports that cost well beyond the revenue that student generates through LCFF and AB 602 funding. While it is not unusual for the costs of educating students with IEPs to exceed revenue, the El Dorado County SELPA recommends allowing access to the Shared Risk Pool for partial reimbursement when the costs exceed certain thresholds. Costs are reimbursed at 50 percent. Total annual reimbursement from the pool may not exceed \$75,000 per student (for a \$150,000 claim). LEAs must demonstrate that they have explored all other resources and made a good faith effort to bear a portion of the costs associated with the request. A SELPA representative will review Shared Risk Pool requests for special circumstances students and submit the requests to the Executive Committee for approval. Requests will document SELPA involvement and participation of a SELPA representative at IEP meetings, when possible. Requests must be resubmitted annually.

Prior to applying for access to the Shared Risk Pool, special circumstances student costs must meet a minimum threshold of \$100,000 (for a 50 percent reimbursement of \$50,000).

Funding Sources

State Base: Shared Risk Pool allocation, out-of-home care.

Low Incidence Equipment/Materials Pool

Pupils with low incidence disabilities, as a group, make up less than one percent of the total statewide K-12 enrollment. These students, defined as those with hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof, require highly specialized services, equipment, and materials.



Funding received to support the provision of low incidence services and equipment covers only a fraction of the cost. In 2016-17, the SELPA Superintendents' Council decided to use this funding to offset the cost of regional program low incidence itinerant services. At that time, the decision was made to use any low incidence reserves as a pool to reimburse the costs associated with purchasing low incidence materials and equipment. When the reserve drops below \$10,000, the SELPA Superintendents' Council will take action to either establish an ongoing funding source to continue the pool or discontinue reimbursements. Requirements for low incidence claims can be found in the *Low Incidence Funding Guidelines* on the EDCOE SELPA website.

Funding Sources

Low incidence pool balance: no ongoing funding source

Regional Programs

El Dorado County regional programs provide a variety of services to students from birth to age 22. Over 270 students are enrolled in regional special education classrooms, and an additional 1,000 students receive itinerant services. Regional programs supported through the SELPA Allocation Plan include:

- Site-based regional programs
- Occupational therapy/physical therapy services
- Regional related services
- Infant program
- Preschool development program
- Private school services

Site-Based Regional Programs

EDCOE operates site-based preschool and special day classrooms on 19 campuses across El Dorado County, with an emphasis on age-appropriate settings to allow for maximum integration. These classrooms are operated for students with various disabilities, including intellectual disabilities.

Funding Sources

State base, federal base

Occupational Therapy/Physical Therapy Services

Beginning in 2016-17, all LEAs in the SELPA began sharing the costs associated with providing occupational therapy/physical therapy (OT/PT) services on a per-ADA basis to students placed in regional classrooms. LEAs are independently responsible for the costs associated with providing OT/PT services for students in LEA programs.

Funding Sources

State base, LEA local decision



Regional Related Services

EDCOE employs highly qualified teachers, physical and occupational therapists, speech and language pathologists, low incidence specialists, and behavior analysts to provide quality-related services as determined by IEP teams to both LEA- and EDCOE-operated programs and classes. These services include:

- Speech and language and adaptive physical education specialists.
- Low incidence services, including vision, deaf and hard-of-hearing, and orthopedic impairment specialists.
- Behavior analyst services.

Speech Services

EDCOE speech and language pathologists provide services to all eligible children in the SELPA, birth to age 22, who have difficulties in the areas of articulation, language, fluency, and voice.

Low Incidence Services

Low incidence disabilities are defined as hearing impairments, vision impairments, severe orthopedic impairments, or a combination of these impairments. EDCOE employs itinerant low incidence specialists to support students in regional and LEA classrooms who have low incidence disabilities.

In 2015-16, the SELPA Superintendents' Council approved the addition of 2.0 FTE orthopedic impaired (OI) certified itinerant teachers to provide specialized low incidence services throughout the SELPA to students with orthopedic impairments.

Behavior Analyst Services

The behavior analysts support students in both county and LEA programs who struggle with persistent maladaptive behaviors and have been resistant to less intensive interventions. In April 2016, the SELPA Superintendents' Council approved covering a 1.0 FTE behavior analyst using mental health funding to provide appropriate services for students in regional programs.

Funding Sources

State base, federal base, state educationally related mental health services.

Infant Development Program

The EDCOE Infant Development Program provides early intervention for students with developmental delays and low incidence disabilities from birth to age three. To maintain state funding levels, EDCOE must operate 3.37 certificated special day class FTE and 6.74 aide FTE (6 hour aides) for a 200-day service program. A caseload of 40 students (12 per class) is required to maintain funding at 3.37 units. EDCOE operates the program on behalf of the SELPA.

EDCOE operates the Infant Development Program in the same fashion as other regional programs and covers any program operational shortfalls (excess costs). EDCOE will continue to cover operational shortfalls as long as current state and federal funding for infants is not materially



modified. Should infant state or federal funding formulas be materially revised, EDCOE may request the Allocation Plan be revised to provide additional revenue or provide for payment for excess program costs.

Per the Allocation Plan, regional programs share a pro-rated increase of any new dollars provided to special education. The Allocation Plan is revised to reflect the infant allocation as sharing in new funds. The infant program currently receives specific cost-of-living-adjustment (COLA) funding outside of the COLA applied to AB 602 funding.

Regional programs currently share in a pro-rated adjustment for declines in SELPA funding. EDCOE has the ability to reduce regional program operations, commensurate with a decline in funding. The infant regional program will NOT participate in a pro-rated reduction, because the program does not have the ability to reduce in size or scope. The typical decline in base funding is a result of SELPA declining enrollment and/or a reduction in federal funds.

The operational cost of the Infant Development Program does not include the cost of an infant NPS placement or NPA services. NPS/NPA infant placements would involve the district of residence in placement decisions. The cost of the NPS/NPA placement would be communicated to the district of residence and the SELPA Executive Committee. In 2013-14, provisions were added to the Allocation Plan to ensure that NPS/NPA costs for infants were covered through 2017-18 from the Shared Risk Pool (at that time known as the NPS Pool). When the set-aside is no longer sufficient to fund infant NPS/NPA costs, the SELPA Executive Committee will discuss other options.

Funding Sources

Early intervention services, part C, state early education programs, shared risk pool.

Preschool

Preschool age students with disabilities are served in a variety of settings, ranging from small classes with high levels of adult support to fully included programs. With the exception of the classes for students with Autism spectrum disorders, these programs are non-categorical in nature, with a wide range of disabilities represented in each classroom. These programs are located on several school campuses and child development centers throughout the county.

Funding Sources

State base, federal base, federal base subgrant.

Private Schools Proportional Share

Federal law requires that each LEA annually expend a proportionate share of federal IDEA funds on equitable services for parentally placed private school children with disabilities. The SELPA determines the proportionate share for each LEA and coordinates the approved services to students with disabilities parentally placed in private schools, using existing regional program funding.



In the future, should the cost of such services increase significantly, EDCOE shall bring this expenditure back through the Allocation Plan decision-making process to determine an appropriate response.

Funding Sources

Federal base.

Educationally Related Mental Health Services

In 1984, Assembly Bill 3632 statutorily required a partnership between school districts and county mental health agencies to deliver mental health services to students with IEPs. In 2011, the California legislature passed Assembly Bill 114, which repealed the state mandate on special education and county mental health agencies and eliminated related references to mental health services in California statute. As a result of this legislation and in accordance with IDEA, school districts are solely responsible for ensuring that students with disabilities receive special education and ERMHS to meet their needs.

ERMHS funding supports the needs of educationally related mental health services. The students receiving these services have an IEP that identifies on the services page any of the ERMHS service codes (510, 515, 520, 525, 530, 535, 540, and 545). This support does not include general education counseling services. *The Mental Health Program Guidelines*, available on the EDCOE SELPA website, provide details for building an ERMHS program, including the certifications required for the staff providing these services.

Funding Sources

State mental health, federal mental health.

Nonpublic school Costs For Students Placed in Foster Care

The SELPA receives funding to offset the costs of educating students placed in foster settings, including group homes, foster family homes, and foster family agencies. For those students in foster settings who are placed through the IEP in a nonpublic school, the SELPA covers the costs of those placements through direct contract with the facility.

The Allocation Plan provides for reimbursement to LEAs that have foster students placed in an NPS or EDCOE-operated charter community school programs. LEAs and/or EDCOE can be reimbursed for up to six hours of assessment and four hours of case management at the approved rate of \$60 an hour.

Funding Sources

State base: out-of-home care.



Local educational agency Funding

LEA special education base funding is used to support the necessary costs of serving students in compliance with IDEA. As such, special education base funding is directed to identifying and assessing the LEA's students for special education. Those who qualify shall receive a free and appropriate public education and related services in the least restrictive environment. Each LEA designs and delivers unique programs and services based on the individual needs of its special education population.

Funding Sources

State base, federal base.

Charter Schools

Charter schools that participate as a school within the LEA and the LEA is providing services to the charter are funded the same as other sites within the LEA. ADA for the charter is included with the chartering LEA and is funded at the chartering LEA rate within the existing formula.

Charter schools that participate as separate LEAs will be funded as their own LEA using the same funding formula as other SELPA LEAs.

Funding Sources

State base, state mental health.

DISTINCT EDCOE PROGRAMS

The Allocation Plan addresses distribution of funds to LEAs and regional programs. The following decisions address other participants in the Allocation Plan who are not included in the distribution of funding through the Allocation Plan.

Juvenile Hall

The ADA for the Golden Ridge and Blue Ridge Juvenile Hall programs was removed from the Allocation Plan in 2005-06, and the programs do not receive any funding through the Allocation Plan at this time. However, EDCOE may request reconsideration in the future should the need arise.

Charter - Rite of Passage

The Rite of Passage programs are not currently included in the allocation formula. They have continued to serve students with special needs, and their students have been counted in the SELPA pupil count and the base ADA. Rite of Passage is an LCI, and the program's primary funding source is out-of-home-care dollars received by the Calaveras County SELPA. Additional SELPA support is not needed now, but EDCOE may request consideration in the future.



EDCOE-Operated Charter Community School Programs

Charter community school programs are treated like a regional program and allocated funds via regional growth requests. Charter University Prep is designated as a school of the LEA operated by EDCOE. EDCOE receives funding for this school on a per-ADA basis, the same as other LEAs.



Part IV: Funding Factors

Special Education Base Funding

California Assembly Bill 602 authorized the current funding model for special education in the state. AB 602 converted the components of special education funding that existed in 1997-98 into a “block grant” allocation to the SELPA, and the SELPA is charged with developing its own allocation plan to distribute the funds to member LEAs.

The EDCOE SELPA Allocation Plan combines these two major funding sources (state and federal) into one amount to determine the entitlement of each LEA in the SELPA.

Regional Programs

The original AB 602 task force defined regional programs as those programs EDCOE operated in 1997-98. EDCOE was operating primarily severely handicapped special day classes in this base year, as well as employing speech therapists throughout the county. The task force recognized that the El Dorado Union High School District operated two severely handicapped special day classes that were similar in nature to the county office programs.

The AB 602 funding allocated to these programs in the base year was set aside in the new formula and became the basis for the current regional program allocations. Additional regional program growth receives funding based on a predetermined rate for the certificated and classified FTE (units) for each non-severely handicapped (NSH) and severely handicapped (SH) classroom (see recent rates in the table below). Over time, this allocation has been increased by a COLA.

Fiscal Year	2016-17		2017-18		2018-19	
	0.00%		1.56%		2.71%	
COLA						
Recipient	COE	LEA	COE	LEA	COE	LEA
NSH Class/No Aide	\$86,274	\$76,804	\$87,620	\$78,002	\$89,995	\$80,116
NSH Aide	\$35,215	\$31,144	\$35,764	\$31,630	\$36,733	\$32,487
SH Class/No Aide	\$94,225	\$78,842	\$95,695	\$80,072	\$98,288	\$82,242
SH Aide	\$40,227	\$35,989	\$40,855	\$36,550	\$41,962	\$37,541

SELPA Services (Program Specialist/Regional Services and Personnel Development)

In 2013-14, two separate grants, Program Specialist/Regional Services (PS/RS) and Personnel Development, were rolled into the AB 602 base. The SELPA Superintendents’ Council decided to continue to allocate these grants to support SELPA services, including mandated administrative functions, professional learning, business functions, alternative dispute resolution, governance, and Special Education Information System supports. The allocation amounts in 2013-14 were \$15.03/ADA for PS/RS and \$12,569 for personnel development. Both rates have been increased



with a COLA annually, as well as adjusted for growth and combined AB 602 and federal IDEA decline. Should the state revise the AB 602 calculation to identify PS/RS funding or Personnel Development separately once again, the SELPA will take action to identify any change from the continued calculation from 2013-14 and determine any funding adjustments.

Low Incidence Funding

The AB 602 allocation provides low incidence funding to the SELPA. Funding is determined by the prior year December 1 pupil count with identified low incidence services. The rate per pupil is determined by the annual amount allocated by the state for low incidence materials and services, divided by the total number of identified low incidence pupils.

Funding received to support low incidence services and equipment covers only a fraction of the cost. In 2016-17, the SELPA Superintendents' Council decided to use this funding to offset the cost of EDCOE regional program low incidence itinerant services. At that time, the decision was made to use any low incidence reserves to reimburse the costs associated with purchasing low incidence materials and equipment. To be eligible for 50 percent reimbursement of low incidence materials and equipment, the purchase must meet the minimum claim amount of \$2,000. When the reserve drops below \$10,000, the SELPA Superintendents' Council will either establish an ongoing funding source to continue the pool or discontinue reimbursements.

Low incidence funding received is directly allocated to EDCOE regional programs with the equivalent amount reduced from the EDCOE regional programs base entitlement. Those base dollars are then included in the LEA base entitlement.

Out-of-Home Care

Out-of-home care funding is included in the AB 602 allocation to SELPAs for pupils residing in group homes and six other types of facilities located within a SELPA's geographic boundaries, including LCIs and FFHs. The SELPA receives an allocation based on the number of LCI/FFH beds in the county.

Out-of-home care funding is used for the cost of foster students placed in an NPS or charter community school. Out-of-home care funding covers the costs of the placement, minus any LCFF revenue generated for that student. The remaining costs of the placement are covered by the district of residence through a LCFF transfer, see page 22.

LEAs and/or EDCOE can also be reimbursed for up to six hours of assessment and four hours case management at the approved rate of \$60 an hour. Any remaining funds after reimbursements are allocated to the Shared Risk Pool.

Shared Risk Pool

In 2017-18, the SELPA Superintendents' Council approved the consolidation of two historically operated risk pools, the nonpublic school and special needs pools, to create the Shared Risk Pool. This pool is funded from AB 602 in the same manner that the previous pools were funded.



The base funding for the NPS pool was the dollar amount of funding received in 1997-98 and increased each year, historically 10 percent, if the agreed-upon Allocation Plan provides for such an increase and if dollars are available.

The special needs pool was funded by any out-of-home care funds remaining after reimbursement to LEAs and EDCOE. The pool was also funded by off-the-top AB 602 funding to support ongoing operational costs as determined by the SELPA Superintendents' Council. A deduction from this pool was used to support ongoing costs to regional programs as well.

The new Shared Risk Pool will be funded by the previous NPS pool funding from AB 602, additional AB 602 funding previously used to support ongoing costs to the special needs pool, and any excess of out-of-home care funding. Since 2008-09, interest has been earned (and retained) on funds in the Shared Risk Pool (previously the special needs pool and the NPS/NPA/OT/PT pool). The SELPA shall perform this calculation at the end of the fiscal year, based on estimated monthly account balances and interest earnings calculated by the County Treasurer.

The Shared Risk Pool allocation will be reduced by the total ongoing regional program support previously funded through the special needs pool and out-of-home care funding.

The Shared Risk Pool also includes two set-asides from the previous pools that have specific purposes, covering LEA ADA growth, as well as the cost of infant NPS/NPA placements. When the balance of the two set-asides are no longer sufficient to fund the two purposes, the SELPA Executive Committee shall discuss other options.

The LEA ADA growth set-aside was established in 2009-2010, with a beginning balance of \$400,000. When SELPA growth funding is not sufficient to provide LEAs with one-time growth funds, which increased in ADA from the prior year, page 19, funds from the set-aside in the Shared Risk Pool are distributed to LEAs.

The NPS/NPA Infant Reserve was established in 2013-14 with a \$150,000 beginning balance. The SELPA and EDCOE special services work in partnership to identify infant NPS/NPA costs, and the set-aside is used to fund these costs.

Shared Risk Pool access guidelines were summarized on page 10 in this Allocation Plan. Further details can be found in the *Shared Risk Pool Procedure* on the EDCOE website.

Local Educational Agency Funding

Off-the-top commitments for regional programs, speech services, OI itinerant services, SELPA services (RS/PS and personnel development), low incidence, out-of-home care, and Shared Risk Pool are subtracted from the total state and federal funds SELPA receives to derive the total LEA funding entitlement.



Based on prior year ADA, adjusted at each reporting period, the total LEA entitlement is divided by the total SELPA ADA to determine a per-ADA rate. Each LEA receives the same rate per ADA. The funding rate is multiplied by each LEA's ADA to determine a per-LEA entitlement. After the per-LEA entitlement is determined, federal funds are netted out from each LEA's total entitlement.

After reducing the federal grant by the allocation to EDCOE, the remaining grant is allocated to LEAs. Fifty percent of the LEA federal entitlement is distributed by a proportional share of the prior year's total base entitlement. The remaining 50 percent is proportionally allocated to LEAs based on the total prior year special education unduplicated pupil count. The remaining LEA base entitlement is classified as state aid.

[SELPA Average Daily Attendance Decline](#)

Declining SELPA ADA is determined based on a CDE calculation that includes the current year ADA and the two prior years ADA. In addition, SELPA ADA decline also includes any decrease in federal IDEA funding from the prior year.

Beginning in 2012-13, the distribution of the loss is calculated in three parts:

1. The LEA's per-ADA share is determined; and the LEA base is reduced by the loss in ADA, multiplied by the LEA's prior year per-ADA flat rate.
2. The balance is the loss paid from Shared Risk Pool funds for one year.
3. The following year, the amount is divided among regional programs and LEA funding based on the proportion of the total prior year base entitlement.

In future years, if EDCOE's regional allocation is reduced as a result of declining enrollment, EDCOE will make a recommendation on program reductions. The SELPA may decide to accept the program reductions or decide to not pass along the revenue reduction.

[SELPA Growth](#)

The state formula for special education funding provides that SELPA growth ADA is based on components of current year ADA, prior year ADA, prior prior year ADA, and the statewide target rate. The SELPA also includes any growth in federal IDEA funds received.

New growth dollars are distributed in the following priority:

Priority 1: Repayment to Regional Programs

If growth funding occurs, the loss in funding to regional programs as a result of declining enrollment reductions shall be restored.



Priority 2: Regional Requests

A process is in place for the SELPA to annually discuss and approve the need for additional regional programs. Part of the process is also to discuss a funding source. SELPA growth dollars, if available, may be allocated to fund regional program requests.

Priority 3: LEA Growth

If any growth SELPA funds remain after any repayment of declining enrollment to regional programs and funding of regional program growth, funds are distributed to LEAs that have grown in ADA in the current year over the prior year.

Unspent Funds

Funds allocated for special education shall be spent for special education. Should an LEA not spend its allocation in a given year, its allocation for the following year shall be reduced by the carryover available to it from the prior year. This reduction is not intended to be permanent. The formula was evaluated in 2002-03 to determine if a permanent reduction provision needs to be incorporated for LEAs that have a carryover for more than one year in a row, and no decision was made. This issue may be evaluated in future years. The funds returned to the SELPA shall be allocated to the Shared Risk Pool.

Data will be compiled in October of each year to determine if carryover exists, and LEAs shall be notified at that time. Their current year state SELPA allocation will be reduced by the carryover amount. Cash flow for November will reflect the adjustment.

Cost-of-Living Adjustment

On a statewide basis, when a COLA is funded, COLA funds are distributed to each SELPA based on a percentage of the state portion of the statewide average per K-12 ADA amounts. Should federal funds increase, the increase will be treated as a COLA, unless the SELPA Superintendents' Council agrees to use an increase in federal funds for SELPA growth.

The total COLA amount is prorated to four areas based on their percentages of the total (regional programs, LEA per-ADA, Shared Risk Pool, and SELPA services).

The exact percentage share will be calculated based on final prior year certified amounts.

The LEA COLA amount will be added to the LEA "per-ADA" base from the prior year, along with any declining enrollment adjustments. The resulting amount will be divided by prior year ADA to determine the LEA per-ADA flat rate.

Deficit

The state may deficit overall funding. For example, although the calculation of state aid might yield \$100, a 3 percent deficit is applied, and only \$97 is distributed. Deficits will be applied to the available base funding. Should the deficit decrease, those funds will be correspondingly distributed.



Cash Flow

The SELPA Allocation Plan uses AB 602 and federal IDEA, Part B, to determine total base entitlement. However, the state aid apportionment and federal entitlement are distributed on separate schedules.

AB 602, or the state aid portion of the entitlement, comes directly to the administrative unit (EDCOE) and is then transferred to LEAs within one or two days whenever possible, typically at the end of each month. Should there be any delay in funding from CDE, there will be a delay in the cash flow of state aid to LEAs.

Cash flow for federal funds varies from year to year based on CDE timelines. EDCOE will distribute federal funds on a timely basis.

Educationally Related Mental Health Services

The SELPA receives revenue for ERMHS from both state apportionments and federal grants. State apportionments for ERMHS are funded to SELPAs based on ADA reported for the second principal apportionment (P-2). The initial apportionment of 50 percent of the appropriated funds is calculated based on prior year P-2 statewide SELPA ADA. An adjustment is made, consistent with existing law, for the Los Angeles Juvenile Court and Community School SELPA. A second apportionment of 25 percent of the appropriated funds, also based off of prior year ADA, will be made in the spring. Funding will be adjusted to reflect the ADA reported for current year P-2, and the remaining funds will be apportioned in the summer.

The federal grant awards allocated to each SELPA are calculated on the basis of prior year P-2 ADA.

SELPA ERMHS revenue received is allocated to LEAs for residential placements, support of EDCOE regional programs, behavior analyst services to LEAs, and SELPA professional development. After these allocations have been made, the SELPA will annually review any fund balance and in the following year will make recommendations regarding the use of remaining funds.

Local Educational Agency Allocation

The current allocation of state apportioned ERMHS funding is \$48 per ADA directly to LEAs to provide ERMHS services to students. To provide a predictable funding stream, the calculation to LEAs will be based on prior year ADA. This allocation to the LEAs may be used to contract for services with ERMHS providers or to hire staff to provide services.

Should an LEA not fully spend the current year allocation, a carryover of unused funds will be available for one year. Carryover funds unused after that period will be added to the ERMHS budget reserve.



Residential Placements

Separate from the LEA allocations, funding to pay for 100 percent of room and board costs for mental health residential placements will be available. ERMHS federal revenue will be the primary and initial source of funding for these placements. Each year, the SELPA will budget a reasonable amount of ERMHS funding that will be available to reimburse these placements. Residential placements are unpredictable; in the unlikely event that costs exceed the established budget, Shared Risk Pool funding will be requested. Any unused funds from the residential budget will be held as ERMHS reserves for future use.

EDCOE Regional Programs

EDCOE regional programs receive an allocation of \$230,000 to support the provision of ERMHS to students each fiscal year.

Behavior Analysts

The behavior analysts support students, in both county and LEA programs, who struggle with persistent maladaptive behaviors and have been resistant to less intensive interventions. In April 2016, the SELPA Superintendents' Council approved covering 1.0 FTE behavior analyst using mental health funding to provide appropriate services for students in regional programs. With no ongoing funding source for behavior analyst services for students in LEA programs, a shared cost model was approved to be implemented over two school years (2016-17 and 2017-18). The shared cost model was based on usage and assigned to LEAs a proportional share of the fully loaded cost of LEA behavior analyst services (including salary, benefits, and mileage).

In April 2017, the SELPA Superintendents' Council approved postponing the implementation of a shared cost model to the 2017-18 and 2018-19 school years. The recommendation to delay implementation of the model was based on reduced LEA usage, multiple sources of pressure on LEA budgets, and quantifiable compliance risk around use of ERMHS funding.

In June 2017, the Superintendents' Council approved the following recommendations to cover the .3 FTE required to sustain behavior analyst services to support students in LEA programs (based on 2016-17 fully loaded cost of \$160,143 for 1.0 FTE). It recommends the implementation of a two-year transition to the caseload snapshot-based cost-sharing model for 0.3 FTE:

- In 2017-18, ERMHS revenue pays for two-thirds (0.2 FTE) of the required FTE (0.3 FTE), and LEAs share in the cost of one third (0.1 FTE).
- In 2018-19 and beyond, LEAs share the cost of the full FTE (0.3 FTE) required.

SELPA Professional Development

Twenty thousand dollars is reserved annually for professional development to expand the SELPA's internal capacity.



Infant Program

The state apportionment funding is for SELPAs that operate early education programs for individuals with exceptional needs who are younger than three years of age. The entitlement for the infant program equals the sum of all instructional personnel service units a SELPA allocates to its LEAs or LEA(s) of another SELPA, multiplied by the base rate of the type of classroom setting, plus the cost of aide(s) for each type of class. The three classroom settings in which infants are served include: special day class (SDC); severe/non-severe, resource specialist program; and designated instruction and service.

The state grant funding for SELPAs is for the cost impact LEAs experience in implementing the federal and state requirements to serve all infants and toddlers who have solely low incidence disabilities. Funds are administered through formula grants based on each SELPA's specific cost impacts. Cost impacts are computed for SELPAs in four areas: the number of additional children with low incidence conditions to be served, additional required procedures, and regionalized services and administration. SELPAs must provide budget information and justification to the CDE.

The SELPA receives both a state apportionment as well as a state grant to support early education programs. Both are allocated to the EDCOE infant development program. EDCOE absorbs any program shortfalls to run that program.

Preschool

IDEA, Part B, Preschool Program funds are specifically allocated for special education and related services to children with disabilities ages three, four, and five. Funding is based on a federal three-part formula: December 1999 California Special Education Management Information System pupil count, ages three through 21 years, and identified on an IEP; 2014 K–12 enrollment (public and private); and 2016 K–12 poverty (free and reduced-price meal counts).

The federal funds received are allocated directly to EDCOE regional programs to support regional preschool classes. Although EDCOE regional preschool classrooms fit the description of regional programs in that they are operated for all students in the SELPA, funding for these programs comes directly from this federal grant and is not included in the regional program classroom counts funded by AB 602.

Special Day Class/Licensed children's institutes LCFF Transfer

LEAs pass on to EDCOE's regional programs the LCFF amount generated from the students served in regional programs, adjusted individually for each LEA's unique LCFF allocation, including unduplicated supplemental and concentration funding. The amount is based on the same ADA that generates the revenue (P-2 for SDC, annual for SDC extended school year (ESY), LCI, LCI ESY). The transfer from LEAs to EDCOE regional programs occurs on the same apportionment schedule as state aid cash flow. From July through January estimated ADA is used from prior year P-2. When P-1 is certified, a recalculation is made and updated with ADA changes to determine the



adjusted allocation from February through May. The final allocation in June will be based on certified P-2, as well as any adjustments from prior year annual apportionment.

