



## CEO COUNCIL MEETING

Thursday, May 20, 2021 | 9:30 a.m.

Virtual Meeting Via Zoom - Web Link (copy and paste into browser):

<https://edcoe.zoom.us/meeting/register/tJwvd-6urDgtEtGdKAGPB3IUedAd-2j-JM5Z>

Dial-in Option: 1-669-900-6833, Meeting ID: 982-0762-3785

### El Dorado Charter SELPA CEO Council Members

A complete list of CEO Council Members is presented in Item Attachment 7.2.1 of this Agenda.

### ANNOUNCEMENTS:

- A. EXECUTIVE ORDER N-29-20 TELECONFERENCE FLEXIBILITY  
This meeting is being held pursuant to the procedures established in Executive Order N-29-20 issued by California Governor Gavin Newsom on March 17, 2020. All council members may attend the meeting by teleconference. This meeting will be a virtual meeting only. The public may observe and address the meeting via Zoom.
- B. PUBLIC ACCESS TO THE Charter SELPA CEO COUNCIL MEETING  
The public will have access to the Charter SELPA CEO Council meeting through Zoom Teleconferencing. There are two options for those individuals who wish to make a public comment: 1.) During the meeting, comments can be sent through the Zoom meeting chat feature, or 2.) Prior to or during the meeting, comments may be sent to [khall@edcoe.org](mailto:khall@edcoe.org). A moderator for the meeting will read your comments for the record.
- C. ANNOUNCEMENT: Should this meeting encounter any security breach or inappropriate issues, the meeting will be ended immediately and rescheduled as soon as practical.

Notice: In compliance with the American with Disabilities Act, for those requiring special assistance to access public meeting rooms or to otherwise participate at a public meeting conducted by the El Dorado County Office of Education, please contact Shane Letendre at (530) 295-2452, [sletendre@edcoe.org](mailto:sletendre@edcoe.org) at least 48 hours in advance of the meeting you wish to attend so that every reasonable effort to accommodate you, including requests for auxiliary aids or services, can be made. Meeting documents are provided online at <https://charterselpa.org/governance/>.

If you require documents being discussed at a public meeting to be made accessible, please contact Shane Letendre at least 48 hours in advance of the meeting.

## AGENDA

Time   Item #   Item

(all times are estimated)

9:20 am   1.   Housekeeping/Procedural Announcements

9:30 am   2.   Call to Order



3. **Approval of Agenda**
4. **Public Hearing** (for items not on the Agenda - comments limited to two minutes)
5. **Welcome/Introductions**
  - 5.1 Welcome
  - 5.2 Introductions
  - 5.3 Recognition – David Toston

#### **CONSENT ITEMS REQUIRING CEO COUNCIL ACTION**

6. **Consent Items Requiring CEO Council Action**

Items included on the Consent Agenda are to be approved by one motion unless a CEO Council member requests separate action on a specified item.

- 6.1 **Approval of Minutes of CEO Council Meeting Held October 7, 2020**

The October 7, 2020, CEO Council Meeting Minutes are presented as Attachment 6.1.

- 6.2 **Approval of Proposed Meeting Schedule**

The following meeting schedule is proposed for the 2021-22 year:

#### **CEO Council Meeting Dates for 2021-22:**

##### **October CEO Council Meeting – Sacramento, CA**

Date: October 14, 2021  
Time: 10:00 a.m. to 12:30 p.m.  
Location: Exact Location TBD

##### **May CEO Council Meeting – San Diego, CA**

Date: May 26, 2022  
Time: 10:00 a.m. to 12:30 p.m.  
Location: Exact Location TBD

**Recommendation:** The Charter SELPA CEO Council recommends approval of all items on the consent agenda.

#### **END OF CONSENT AGENDA**

#### **7. REPORTS – NO ACTION REQUIRED**

##### **7.1 Executive Committee Meetings**

##### **7.1.1 Notes of Executive Committee Meetings Held**

- March 25, 2021, Executive Committee Meeting Notes are presented as Attachment 7.1.1.
- April 29, 2021, Executive Committee Meeting notes are presented as Attachment 7.1.1.



## **7.2 Charter SELPA Membership**

### **7.2.1 Current Members**

A list of the current 2020-21 members/CEOs of the El Dorado Charter SELPA is included as Attachment 7.2.1.

### **7.2.2 New Members and Exiting Members for 2021-22**

A list of the new members joining and members exiting the El Dorado Charter SELPA for 2021-22 is presented as Attachment 7.2.2.

If you are anticipating any school closures, please notify the Charter SELPA as soon as possible.

### **7.2.3 2020-21 Partner Oversight Update**

The integrated oversight process of the SELPA is designed to identify areas of LEA support for both program and fiscal operations, as well as protect the SELPA as a whole from the loss of distributed funding. The oversight process consists of monitoring several metrics for all partners. A detailed 2020-21 Partner Oversight Update is included as Attachment 7.2.3.

## **7.3 Financial Update**

### **7.3.1 Funding Rates**

A report summarizing 2020-21 funding rates and projections for 2021-22 funding rates is included in Attachment 7.3.1.

### **7.3.2 Educationally Related Mental Health Services (ERMHS) Budget Update**

CEO Council is updated at regular intervals on the ERMHS (Educationally Related Mental Health Services) budget to assure a transparent and predictable level of funding for Charter SELPA partners. See Attachment 7.3.2 for the detailed ERMHS budget update.

### **7.3.3 Low Incidence Update**

CEO Council will be updated on the status of the Low Incidence Pool. See Attachment 7.3.3 for an update on pool transactions for the current year.

## **INDIVIDUAL ITEMS REQUIRING CEO COUNCIL ACTION**

## **8. 2021-22 Local Plan Section D and E**

The Charter SELPA is required to annually prepare a budget and service plan in the manner and format prescribed by CDE. The budgeted expenditure data for 2021-22 is based on prior year expenditure trends and projections for 2021-22 based on growth. The service plan is developed using CALPADS student data for the SELPA and projections for 2021-22. A copy of Section D: Annual Budget Plan and Section E: Annual Service Plan can be accessed at the following link: <https://charterselpa.org/governance/>



**9. ERMHS Allocation Plan Considerations**

The Charter SELPA recommends revising and updating the Allocation Plan regarding ERMHS funding. Details and proposed recommendations are included (with red-lined changes noted) in Attachment 9.

**10. Risk Management Recommendation**

At the request of the CEO Council, the Executive Committee has formulated a recommendation regarding Rate Protection Pool contributions, which is detailed in Attachment 10.

**END OF ACTION ITEMS**

**11. SELPA Leadership Report**

**12. Executive Committee Meeting Dates for 2021-22**

Thursday, September 23, 2021 – 10:00 a.m. to 11:30 a.m.  
Meeting held virtually via Zoom

Friday, January 21, 2022 – 10:00 a.m. to 11:30 a.m.  
Meeting held virtually via Zoom

Thursday, March 24, 2022 – 10:00 a.m. to 11:30 a.m.  
Meeting held virtually via Zoom

Thursday, April 21, 2022 – 10:00 a.m. to 11:30 a.m.  
Meeting held virtually via Zoom

Executive Committee Retreat  
Wednesday, May 25, 2022  
San Diego, CA. – Exact Location TBD

**13. Future Agenda Items**

**14. Next Meeting Date**

The next regularly scheduled meeting of the Charter SELPA CEO Council will be held on October 14, 2021, in Sacramento in person, pending state guidance requirements, and will also be available via Zoom.

12:00 pm **15. Adjournment**





## CEO COUNCIL MEETING MINUTES

Wednesday, October 7, 2020 | 9:30 a.m.

The CEO Council Meeting was held via  
Zoom – Webinar ID: 992 1697 7235

**UNADOPTED MINUTES**

### El Dorado Charter SELPA CEO Council Members

A complete list of CEO Council Members was presented in Attachment 7.4 of this agenda. For a complete list of CEO Council Members who were present in person or online, please email Kathleen Hall at [khall@edcoe.org](mailto:khall@edcoe.org).

## AGENDA

### Time   Item #

(all times are estimated)

9:20 a.m.   **1.   Housekeeping/Procedural Announcements**

9:30 a.m.   **2.   Call to Order**

*The meeting was called to order at 9:37 a.m. in honor of the exceptional leaders of Butte County, by David M. Toston, Associate Superintendent, El Dorado Charter SELPA.*

**3.   Approval of Agenda**

*Motion to approve the agenda as presented was made by member Patricia Dougherty and seconded by member JJ Lewis. There was no discussion, all approved, and the motion carried.*

**4.   Public Hearing (for items not on the agenda - comments limited to two minutes)**

*Opened at 9:39 a.m., with no comments, the public hearing closed at 9:39 a.m.*

**5.   Welcome/Introductions**

5.1   Welcome

*David M. Toston welcomed everyone to the meeting.*

5.2   Introductions

*CEO Council members and guests introduced themselves by adding their names and their school affiliation in the chatbox of the webinar.*



## **CONSENT ITEMS REQUIRING CEO COUNCIL ACTION**

### **6. Consent Items Requiring CEO Council Action**

*Items included on the Consent Agenda were approved as presented by one motion, with no CEO Council member requesting a separate action on a specified item.*

#### **6.1 Approval of Minutes of CEO Council Meeting Held May 21, 2020**

The May 21, 2020, CEO Council Meeting Minutes are presented as Attachment 6.1.

*The May 23, 2019, CEO Council Meeting Minutes were presented as Attachment 6.1. A motion to approve the item as presented was made by member Mark Ryan and seconded by member JJ Lewis. There was no discussion, all approved, and the motion carried.*

## **END OF CONSENT AGENDA**

### **7. REPORTS – NO ACTION REQUIRED**

#### **7.1 Minutes of Executive Committee Meeting Held September 10, 2020**

The Minutes of September 10, 2020, Executive Committee Meeting were presented as Attachment 7.1.

#### **7.2 Review of Executive Committee Membership/Meeting Dates**

A review of the current membership of the committee took place. The Executive Committee meets several times per year and attempts to have broad representation from the CEO Council to include charter representatives from large, small, geographically diverse, etc., members. The Executive Committee provides input to the Charter SELPA leadership team as recommendations are developed for the CEO Council.

A list of the Executive Committee members for 2019-20:

Allegra Johnson, Da Vinci Schools  
Barbara Hale, Sycamore Academy Charter  
Cindy Kelley, King-Chavez  
Cindy Petersen, Gateway Community Charters  
Dawn Evenson, iLEAD Schools  
Debi Gooding, The Learning Academy  
DiAnne McClenahan, The Bay Group  
J. J. Lewis, Compass Charter Schools  
Jennifer Zamora, Bay Area Technology  
Jonathan Dean, The O'Farrell Charter School  
Josh Drake, Rocketship Public Schools  
Julie Mattoon, KIPP Bay Area  
Kapil Mathur, Orange County Academy of Sciences and Arts  
Karin Marsolais, Preuss School UCSD  
Kim Damman, KIPP SoCal Public Schools  
Lisa Freccero, Aspire Public Schools  
Lynne Alipio, Altus Schools  
Mark Ryan, North Valley Military Institute College Preparatory Academy



Mary Searcy Bixby, Altus Schools  
Pat Hill, Learn 4 Life Concept Charter Schools  
Patricia Dougherty, Phoenix Charter Academy  
Paul Keefer, Pacific Charters  
Russell Michaud, Alpha Public Schools  
Seth Feldman, Bay Area Technology  
Stephanie Walton, Circle of Independent Learning  
Wendy Sanders, Redding School of the Arts

The SELPA has confirmed members' interest in continuing to serve on the Executive Committee for 2020-21 and will ask for additional volunteers to become members.

*David Toston thanked those who served on the 2019-2020 Executive Committee for their time and efforts. David asked for volunteers to serve on this year's Executive Committee – If you're interested to serve on the Executive Committee – email David.*

### **7.3 Charter SELPA Partners Recognition**

In 2013, the Charter SELPA formally recognized our founding partners, identified as being with us in the first three years of operation. Starting in 2014, we have annually recognized those partners who have achieved five years of membership. The partners who were recognized, who have achieved five years of membership and had not been previously recognized, were:

- America's Finest Charter
- Amethod Public Schools
- Aspen Public Schools, Inc.
- Cabrillo Point Academy
- Ceiba Public Schools
- Da Vinci Schools
- Kairos Public School Vacaville Academy
- Kavod Charter School
- North Oakland Community Charter
- Palmdale Aerospace Academy
- Partners in Oakland Education
- Ronald Reagan Charter School Alliance
- Santiago Middle
- The School of Arts and Enterprise
- The New School of San Francisco
- Trivium Academy of Classical Education
- Valiente College Preparatory Charter
- Vista Oaks Charter

*A visual presentation honoring each of these partners was shown to the meeting participants.*



#### **7.4 Charter SELPA Membership**

A list of the current 2020-21 members/CEOs of the El Dorado Charter SELPA was included as Attachment 7.4.

*A number of our partners operate one school and others operate multiple charter schools. Currently 430 LEAs representing 202 partners – this number may change throughout the year and we will update membership information at the May CEO Council meeting.*

#### **7.5 Program/Business Report**

The SELPA team shared program and business updates and highlights. Included in this report was Attachment 7.5, a FMCAT Fiscal Alert, August 2020.

*Bob Steponovich, SELPA Business Director, shared fiscal information and a PowerPoint presentation.*

- *CalPads/Data Reporting*
- *FCMAT Alert*
- *2020-21 Growth Funding (SB 820).*

*Program highlights included:*

- *Moises Buhain, Professional Learning Coordinator, shared useful resources developed by the team, including a designated COVID 19 webpage.*
- *Types of Trainings Offered/ Breakdown of Professional Learning Content Areas.*
- *Trainings are online and site-based.*
- *Leadership Academies; Teacher Academies; Paraeducator Academy*
- *Bright Spots in Education – as we shifted to distance learning – acknowledge partners that stepped in. Web modules are one hour long and available on the website.*
- *Building Connectivities Conference. Partnering with the National Center for Special Education in Charter Schools. A national conference that we're developing – represents 26 national entities across the USA. Highlight the work that's happening. Speakers are still being confirmed.*

### **INDIVIDUAL ITEMS REQUIRING CEO COUNCIL ACTION**

#### **8. Local Plan Update**

In accordance with California Department of Education (CDE) Local Plan requirements, the Charter SELPA has revised Section B: Governance and Administration of our Special Education Local Plan. A draft copy of this document is posted to the Charter SELPA website and can be accessed at <https://charterselpa.org/governance/>. The required notice period for CAC input has taken place and the revised governance section of the Local Plan is now presented to CEO Council for approval. Each member, and incoming member, will have their local boards adopt the new Local Plan during the time frame of CEO Council Local Plan approval through June 30, 2021. Additional procedural guidance for our members will be provided by the Charter SELPA after the Local Plan is approved by the CEO Council.

*Motion to approve the Local Plan – Section B: Governance and Administration as posted on the Charter website was made by member Mary Bixby and seconded by member Mark Ryan. There was no discussion, all approved, and the motion carried.*





### **8.1 – Participation Agreement Revision**

The Local Plan revision process has identified the need to update the Charter SELPA Participation Agreement. The redline version of the revised Participation Agreement, is included as Attachment 8.1. As with the revised Local Plan, each member, and incoming member, will have their local boards adopt the new Local Plan during the time frame of CEO Council approval through June 30, 2021. Additional procedural guidance for our members will be provided by the Charter SELPA after the Participation Agreement is approved by the CEO Council.

*Motion to approve the revisions to the Charter SELPA Participation Agreement as presented in Attachment 8.1 was made by member Patricia Dougherty and seconded by member Mark Limon. There was no discussion, all approved, and the motion carried.*

### **9. Policy and Administrative Regulation Updates Required by the Local Plan Revision**

The Local Plan revision process has identified the need to update several Charter SELPA Policies and to create an Interagency Policy and AR to align with new requirements by the California Department of Education (CDE). The Charter SELPA now presents the proposed updates to the following several CEO Policies and ARs and the creation of Policy and AR 29 – Interagency, are included in Attachment 9.

- Policy and AR 1 – Comprehensive Local Plan for Special Education
- Policy 6 – Part C - Transition
- Policy 8 – Compliance Assurances
- Policy 9 - Governance
- Policy and AR 10 - Personnel
- AR 12 – Participation in Assessments
- Policy 13 – Supplementation of State, Local and Other Federal Funds
- AR 14 – Maintenance of Effort
- AR 16 – Suspension and Expulsion
- Policy 17 – Access to Instructional Materials
- Policy 18 – Overidentification and Disproportionality
- Policy 20 - Data
- Policy 21 – Reading Literacy
- Policy and AR 22 - Admission of LEAs to the Charter SELPA
- Policy 23 – Behavioral Interventions
- Policy 25 – Conflict of Interest
- Policy 26 – Termination of Membership
- Policy 27 – Charter School Closure Policy
- New Policy and AR 29 – Draft Interagency Policy

*Motion to approve the proposed updates to the above-listed CEO Policies and ARs and the creation of Policy and AR 29 as presented in Attachment 9 was made by member Dawn Evenson and seconded by member JJ Lewis. There was no discussion, all approved, and the motion carried.*



**10. Mental Health Funding**

The 2020-21 state budget expanded eligible expenditures for restricted ERMHS funding to address the impact of the COVID-19 pandemic on student mental health. Action to create a one-time funding stream to address the expanded mental health funding expenditure authority is recommended. Attachment 10 includes detailed information and the recommendation to create this one-time funding stream now presented to CEO Council.

*A motion to approve the proposed one-time funding stream as presented in Attachment 10 was made by member Phil Beaumont and seconded by member Edna Heller. There was no discussion, all approved, and the motion carried.*

**11. Low Incidence**

A year-end budget report on low incidence funding was delivered to the CEO Council at the fall meeting. A portion of the increased special education funding in the final 2020-21 state budget will come in the form of additional low incidence revenue. As a result, the Allocation Plan should be amended to allow for a higher maximum reimbursement amount to partners. Attachment 11 includes additional information and includes the recommended amendment to the Allocation Plan – Element 11/Low Incidence Materials and Services now presented to CEO Council.

*A motion to approve the Allocation Plan amendment as outlined in Attachment 11, was made by member Ramona Bishop and seconded by member Edna Heller. There was no discussion, all approved, and the motion carried.*

**12. Rate Protection Pool**

The Allocation Plan currently operates two risk pools: the Set-Aside Risk Pool and the Rate Smoothing Pool. With the elimination of the ongoing special education deficit (proration factor) in the 2020-21 state budget, the Rate Smoothing Pool is no longer necessary. The Charter SELPA proposes merging the Rate Smoothing and Set-Aside Risk Pools to create a single Rate Protection Pool. Attachment 12 includes additional information and the proposed amendments to the Allocation Plan now presented to CEO Council.

*A motion to approve the Allocation Plan amendments to merge the Rate Smoothing and Set-Aside Risk Pools to create a single Rate Protection Pool as outlined in Attachment 12, was made by member Patricia Dougherty and seconded by member Ramona Bishop. There was no discussion, all approved, and the motion carried.*

**END OF ACTION ITEMS**



**13. Risk Management Considerations**

The Charter SELPA would like to facilitate discussion with CEO Council on whether the Charter SELPA membership should consider subsidizing the new Rate Protection Pool or other options to mitigate large unforeseen funding losses to the Charter SELPA that may occur in the future. Attachment 13 includes additional information on the limitations of a SELPA to protect state special education funding from retroactively disallowed ADA and outlines potential options to consider to mitigate future similar events.

*A discussion was held with CEO Council requesting the SELPA Administration refine the options outlined in Attachment 13, continue the discussion with the Executive Committee and return to CEO Council in May 2021 with a recommendation.*

**14. SELPA Leadership Report**

- *SELPA Administration anticipates significant reforms to special education funding and plans to be part of those statewide conversations and soliciting input. We are in the process of working with - per LEA statistics.*
- *This is El Dorado Charter SELPA's 15<sup>th</sup> year of operation and we acknowledge and honor Dr. Vicki Barber and her pivotal role in the creation and support of the Charter SELPA. Also honor Dr. Ed Manansala as a leader in the organization.*
- *We will not be travelling in the foreseeable future, due to statewide COVID restrictions. We will continue to support our member LEA's virtually and are committed to maintaining the high level of support this year.*

**15. Future Agenda Items**

*Please connect with SELPA Administration via email to make suggestions.*

**16. Next Meeting Date**

The next regularly scheduled meeting of the Charter SELPA CEO Council will be held on May 20, 2021 – physical location and/or Zoom TBD.

12:00 p.m. **17. Adjournment**

*A motion to adjourn the meeting was made by member Edna Heller and seconded by member Tiffany Gilmore. There was no discussion, all approved, and the motion carried. The meeting was adjourned at 11:48 a.m. by David Toston.*





## EL DORADO CHARTER SELPA

**Thursday, March 25, 2021**

Meeting held via Zoom

Thursday, March 25, 2021 at 10:00 a.m.

### **EXECUTIVE COMMITTEE MEETING – NOTES**

#### **#Participated in meeting**

##### **Charter SELPA:**

Ginese Quann, Interim Charter SELPA Executive Director#  
Robert Steponovich, SELPA Business Director#  
Vicki L. Barber, Retired County Supt. Of Schools#

Ed Manansala, El Dorado County Supt. of Schools#  
Kathleen Hall, Administrative Assistant#  
Shane Letendre, Program Assistant#

##### **2020-21 Executive Committee Members:**

Russell Michaud, Alpha Public Schools#  
Mary Searcy Bixby, Altus Schools#  
Lynne Alipio, Altus Schools  
Lisa Freccero, ASPIRE#  
Seth Feldman, Bay Area Technology#  
Stephanie Walton, Circle of Independent Learning#  
J.J. Lewis, Compass Charter Schools#  
Allegra Johnson, Da Vinci School  
Ramona Bishop, Elite Public Schools#  
Cindy Petersen, Gateway Community Charters#  
Dawn Evenson, iLead Schools#  
Cindy Kelley, King-Chavez  
Julie Mattoon, KIPP Bay Area Schools#

Kim Damman, KIPP LA Schools#  
Patricia Saddler, Leadership Public Schools#  
Connie Petit, Learn4Life#  
Mark Ryan, North Valley Military Institute#  
Kapil Mathur, Orange County Academy#  
Paul Keefer, Pacific Charter Institute  
Patricia Dougherty, Phoenix Charter Academy#  
Wendy Sanders, Redding School of the Arts#  
Jayna Gaskell, ROADS Education#  
Josh Drake, Rocketship Education  
Barbara Hale, Sycamore Academy Charter#  
Debi Gooding, The Learning Center#  
Samantha Pohaku, The O'Farrell Charter School#

**Guests:** Leah Dato, King-Chavez#

#### **1. State of the SELPA**

*Ginese Quann welcomed everyone to the meeting and had everyone introduce themselves. Dr. Ed Manansala, El Dorado County Superintendent of Schools, spoke to the transition of David Toston to CCEE in January of 2021. The Charter SELPA is recruiting for an Executive Director of the Charter SELPA and should have someone in place by May 1<sup>st</sup>; this will be an EDCOE Cabinet-level position.*

**2. 2020-21 State Funding Information\***

*Bob Steponovich reviewed the “Path to a Final 2020/21 State Budget” – a month-to-month summary document included as Attachment 2. Special Education saw a substantial increase in funding, especially for students with low incidence disabilities. The only operational funding impact that affects the SELPA budget is the PS/RS funding. All other funding is passed through to the charters. SELPA can maintain our level of service and level of staffing.*

**3. Mental Health Funding Update\***

*Bob Steponovich reviewed the Mental Health Funding Update, included in Attachment 3. This report was provided for information only and will be updated and presented to CEO Council at the May meeting. A discussion was held on the reasonable amount of reserves and the need for sensitivity to the needs of our LEAs to have healthy reserves.*

*This topic will be carried over to the April Executive Committee meeting with a proposed revision to the Allocation Plan to allow for greater flexibility in addressing the mental health needs of our students.*

**4. Risk Management Considerations (Follow up from October 2020 CEO Council Meeting)\***

*The Executive Committee continued the conversation to consider subsidizing the new Rate Protection Pool to minimize any potential reduction in funding. Our goal is to mitigate unforeseen funding losses similar to the situation caused by A3 Schools.*

*Dr. Vicki Barber and Dr. Ed Manansala continue to work diligently on behalf of the Charter SELPA to recover A3 School funds. Multi-faceted recovery efforts include meeting with CDE and the Department of Finance and working with the receiver in the A3 School’s bankruptcy case. It is a lengthy process that will take time.*

*The Executive Committee determined that the recommendation to the CEO Council for the May 2021 meeting should be an extra contribution strategy. The committee requested that the April Executive Committee meeting agenda include a review of scenario-based projections of a flat \$2.00 per ADA extra contribution.*

**5. 2021-2022 Membership Update\***

*Ginese Quann reviewed the membership update included as an attachment to the packet. Current Cohort numbers seem to indicate a reduction in charter school applications and a decrease in the number of schools joining us this year. Charter SELPA will continue to monitor membership trends.*

**6. SELPA Leadership Report**

*Charter SELPA will host a virtual Executive Committee Retreat, and after discussion, the date and time for the retreat were finalized as 2-5 pm on Wednesday, May 19<sup>th</sup>. A pre-retreat survey will be sent out with the results helping to focus topics for the retreat.*



## **EL DORADO CHARTER SELPA** **Thursday, April 29, 2021**

Meeting held via Zoom  
Thursday, April 29, 2021 at 10:00 a.m.

### **EXECUTIVE COMMITTEE MEETING - NOTES**

#### **# Participated in Meeting**

##### **Charter SELPA:**

#Ginese Quann, Interim Charter SELPA Executive Director  
#Robert Steponovich, SELPA Business Director  
#Vicki L. Barber, Retired County Supt. Of Schools  
#Kathleen Hall, Administrative Assistant  
#Shane Letendre, Program Assistant

##### **2020-21 Executive Committee Members:**

#Russell Michaud, Alpha Public Schools  
#Mary Searcy Bixby, Altus Schools  
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#Lisa Freccero, ASPIRE  
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Cindy Kelley, King-Chavez  
#Julie Mattoon, KIPP Bay Area Schools  
#Kim Damman, KIPP LA Schools  
#Patricia Saddler, Leadership Public Schools  
#Connie Petit, Learn4Life  
#Mark Ryan, North Valley Military Institute  
#Kapil Mathur, Orange County Academy  
#Paul Keefer, Pacific Charter Institute  
Patricia Dougherty, Phoenix Charter Academy  
#Wendy Sanders, Redding School of the Arts  
Jayna Gaskell, ROADS Education  
Josh Drake, Rocketship Education  
#Barbara Hale, Sycamore Academy Charter  
#Debi Gooding, The Learning Center  
#Samantha Pohaku, The O'Farrell Charter School

**Guests:** Leah Dato, King Chavez; Nickie Terpening, Charter SELPA

#### **7. Risk Management Considerations \***

*At the March 2021 meeting, the Executive Committee determined that the recommendation to CEO Council should be an extra contribution strategy. A discussion and review of the three scenario-based projections to consider in connection with subsidizing the new Rate Protection Pool, presented in Attachment 1, was held.*

*After discussion, the Executive Committee reached a consensus for CEO Council to be presented with a recommendation for a \$2/ADA additional contribution for continuing members, continued monitoring of the legal and other recoupment efforts of A3 funds, and include an annual review of the contribution.*

**2. ERMHS Allocation Plan Considerations\***

*The Executive Committee discussed and considered the proposed amendment to the Allocation Plan, set forth in Attachment 2, to provide SELPA administration more flexibility in the final annual determination of sufficiency for ERMHS funding.*

*The consensus was to move forward with the recommendation.*

**3. SELPA Leadership Report**

*Brief update by Ginese Quann included:*

- *A-3 Status update*
- *We are working to increase access to data we're collecting on your efforts and working with CCSA to get access to their efforts as well. We have instituted Salesforce, and the next phase is communities, which our LEAs will have access to the data – we will pilot this process. This is a focus for us to help support our partners and so the LEA's have info and data available.*
- *Ginese has been part of a workgroup with CCAP – Provided input into an authorizer toolkit.*
- *Retreat-guiding questions will be sent out to help focus our time and talking points.*
- *The fall CEO Council meeting will be in person in Sacramento – Thursdays are preferred, and we will target October 14<sup>th</sup> for the meeting date for the in-person meeting. The meeting will also be available on Zoom.*

**\*Attachment**



### CEO Council Membership Report - May 2021

Partner Name	CEO	Title	LEAs
ACE Charter Schools	Greg Lippman	CEO/Executive Director	4
Achieve Charter School of Paradise Inc.	Casey Taylor	Executive Director	2
Albert Einstein Academies	David Sciarretta	Principal	2
Alma Fuerte Public	Laurilie Keay	Director	1
Alpha Public Schools, Inc.	John Glover	CEO	4
Altus Schools	Mary Bixby	President	7
America's Finest Charter	Jan Perry	Executive Director	1
Amethod Public Schools	Evelia Villa	Chief Operating Officer	6
ARISE High	Karla Gandiaga	Head of School	1
Aspen Public Schools, Inc.	Shelly Lether	Executive Director	2
ASPIRE Public Schools	Mala Batra	CEO	28
Aurum Preparatory Academy	David Hardin	Executive Director	1
Baypoint Preparatory Academy	Frank Ogwaro	CEO	1
Bella Mente Montessori Academy	Erin Feeley	Executive Director	1
Blue Oak Charter School, Inc.	Susan Domenighini	Executive Director	1
Cabrillo Point Academy	Jenna Lorge	Senior Director	1
Caliber Schools	Terence Johnson	CEO	2
California Online Public Schools	Richard Savage	Executive Director	6
California Virtual Academies	Katrina Abston	Executive Director	5
Capitol Collegiate Academy	Cristin Fiorelli	Principal	1
Ceiba Public Schools	Josh Ripp	Head of School	1
Chico Country Day	Amie Parent	Director of Special Education	1



Chrysalis Charter	Catherine Thompson	Administrator/Superintendent	1
Circle of Independent Learning	Stephanie Walton	Executive Director	1
City Heights Preparatory Charter	Elias Vargas	School Director	1
Clarksville Charter	Jenell Sherman	Principal	1
Classical Academy Schools	Cameron Curry	Executive Director	4
Clayton Valley Charter High	Jim Scheible	Executive Director	1
College Preparatory Middle School, Inc.	Christina Callaway	Director of School Business	1
Community Learning Center Schools, Inc.	Annalisa Moore	Executive Director	2
Community Roots Academy	Jeremy Cavallaro	Executive Director of Education	1
Community School for Creative Education	Ida Oberman	CEO	1
Compass Charter Schools	J. J. Lewis	CEO	3
Connecting Waters Charter Schools	Sherri Nelson	Executive Director/CEO	2
Contra Costa School of Performing Arts	Neil McChesney	Executive Director	1
CORE Butte, Inc.	Mary Cox	Executive Director	1
Cottonwood	Cindy Garcia	Interim Executive Director	1
Credo High School	Andrea Akmenkalns	Executive Director	1
Darnall Charter	Consuelo Manriquez	Associate Director of Communications and Operations	1
Da Vinci Schools	Matthew Wunder	Executive Director	3
Delta Charter Schools	Steve Payne	Deputy Superintendent, Student Services	6
Dixon Montessori Charter	Ben Ernest	Executive Director	1
Dual Language Immersion North County	Mallory Wirth	Executive Director/Principal	1
e3 Civic High	Cheryl Ward	CEO	1
East Bay Innovation Academy	Michelle Cho	COO and CFO	1
Ednovate	Oliver Sicat	CEO	1
Education for Change	Larissa Adam	Superintendent	7
Eleanor Roosevelt Community Learning Center	Heather Rocha	CEO	1

Element Education, Inc.	Terri Novacek	Executive Director	2
Elevate Elementary	Ryan Elliott	Principal / CEO	1
Elite Public Schools	Ramona Robinson-Bishop	President/CEO	1
El Rancho Charter School	Michelle Walker	Principal of Academics	1
El Sol Santa Ana Science and Arts Academy	Monique Daviss	Executive Director	1
Empower Charter	Demi Brown	Executive Director/President	1
Environmental Charter Schools, Non-Profit	Farnaz Golshani-Flechner	Executive Director/CEO	3
Envision Schools	Gia Truong	CEO & Superintendent	3
Epic Charter Schools of California	Paul MacGregor	Executive Director	1
Epiphany Prep Charter	David Rivera	President	1
Escuela Popular del Pueblo	Patricia Reguerin	Executive Director	2
Feather River	Jenell Sherman	Principal	1
Fortune	Margaret Fortune	CEO/Principal	2
Francophone Charter School of Oakland	Mark Kushner	Interim Executive Director	1
Garvey/Allen Visual and Performing Arts Academy for Science, Technology, Engineering & Mathematics	Tiffany Gilmore	CEO	1
Gateway College and Career Academy	Miguel Contreras	Director	1
Gateway Community Charters	Cindy Petersen	Superintendent/CEO	9
Gompers Preparatory Academy	Jane Firpo	Executive Director	1
Gorman Learning Center, Inc.	Denice Burchett	Executive Director	2
Green Dot Public Schools California	Cristina De Jesus	CEO	4
Growth Public Schools	David Richards	CEO	1
Guajome Schools	Kevin Humphrey	Superintendent of Schools	2
Harriet Tubman Village Charter	Ryan Woodard	CEO/Principal	1
Hawking S.T.E.A.M. Charter Schools	Lorena Chavez	CEO	1
Hayward Collegiate Charter	Neena Goswamy	Executive Director	1
High Tech	Rasheed Meadows	CEO	16

Holly Drive Leadership Academy	Alysia Smith	Principal	1
Howard Gardner Community Charter	Beverley Jimenez	Executive Director	1
Iftin Charter	Maslah Yussuf	CEO	1
iLEAD Charter Schools	Dawn Evenson	Founder/CEO	6
Imagine Schools	Darrin Anderson	Regional Director	1
Ingenium Schools	Jake Rodgers	Superintendent	2
Inland Leaders Charter School	Mike Gordon	Executive Director	1
Innovations Academy	Christine Kuglen	Director	1
Inspire School of Arts and Sciences	Becky Brown	Principal/Superintendent	1
Invictus Academy of Richmond	Gautam K Thapar	Executive Director	1
John Adams, Inc.	Joseph Benson Heather Brown	Co-CEO/Headmaster	3
Julian Charter School, Inc.	Jennifer Cauzza	Executive Director	6
Kairos Public School Vacaville Academy	Jared Austin	Executive Director	1
Kavod Charter School	Alexa Greenland	Executive Director	1
Keiller Leadership Academy	Joel Christman	Executive Director	1
KEY Educational Group	Krista Kastriotis	Executive Director	1
Kinetic Academy	Bre Lionetti	Executive Director	1
King-Chavez	Cindy Kelley	CEO	5
KIPP: Public Schools Northern California	Beth Sutkus-Thompson	Executive Director	13
KIPP SoCal Public Schools	Marcia Aaron	CEO	10
Leadership Public Schools	Patricia Saddler	Superintendent & CEO	3
Learn 4 Life	Connie Petit	Director of Special Education	14
Learning Choice Academy	Debi Gooding	Executive Director	3
Lifeline Education Charter School	Paula DeGroat	Director	1
Life Source International Charter	Deberae Culpepper	Executive Director	1
Lighthouse Community Public Schools	Rich Harrison	CEO	3

Literacy First Charter Schools	Debbie Beyer	CEO/Director	1
MAAC Community Charter School	Arnulfo Manriquez	President/CEO	1
Magnolia Educational and Research Foundation	Alfredo Rubalcava	CEO	6
Making Waves Academy	Alton Nelson	CEO	1
Manzanita Charter Middle School	Chantel Caldwell	Principal	1
McGill School of Success	Norma Sandoval	Principal/CEO	1
Mission Preparatory	Claudia Martinez Rebecca Hornthal	Interim Co-Director	1
Mission Vista Academy	Amy Davis	Principal	1
Monarch River Academy	Laurie Goodman	Executive Director/Principal	1
Museum	Phil Beaumont	Executive Director	1
Navigator Schools	Kevin Sved	CEO	3
New Day Academy, Inc.	Laura Blachman	Executive Director	2
New West Charter Middle School, Inc.	Sharon Weir	Principal/Exec. Director	1
Nord Country School, Inc.	Kathy Dahlgren	Principal/Superintendent	1
North Oakland Community Charter School	D. M. (David) Kloker	Head of School	1
North Valley Military Institute College Preparatory Academy	Mark Ryan	Superintendent	1
Nova Academy Early College High	Renee Lancaster	CEO	2
Novato Charter	Nikki Lloyd	Director	1
Oakland Military Institute College Preparatory Academy	Michael O. Dodson	Superintendent	1
Oakland School for the Arts	Lisa Sherman-Colt	Executive Director	1
Old Town Academy K-8 Charter	Todd Reed	Principal/Executive Director	1
Olive Grove Charter School	Meg Rydman	Executive Director	4
Orange County Academy of Sciences and Arts	Kapil Mathur	Executive Director	2
Orange County Classical Academy	Gary Davis	Executive Director	1
Orange County Educational Arts Academy	Mike Limon	Executive Director	1
Orange County High School of the Arts	Steve Wagner	Chief Operations Officer	1

Oxford Day Academy	Latrice Bennett	Special Education Coordinator	1
Oxford Preparatory Academy	Jill Marks	Executive Director	2
Pacific Charter Institute	Paul Keefer	Executive Director	2
Pacific Coast Academy	Krystin Demofonte	Executive Director	1
Pacific View Charter	Gina Campbell	Founding Executive Director	1
Palmdale Aerospace Academy	Matthew Winheim	Executive Director	1
Paragon Collegiate Academy	Serafin Alvarez	Vice President	1
Partners in Oakland Education	Rosette Costello	Executive Director	1
Peak to Peak Mountain Charter	Jeffrey Fenske	Administrator	1
Perseverance Preparatory School	Alexandria LeeNatali	Founder and Executive Director	1
Phoenix Charter Academy (PCA)	Patricia Dougherty	CEO	1
Plumas Charter	Taletha Washburn	Executive Director	1
Preuss School UCSD	Helen Griffith	Executive Director	1
REACH Leadership STEM Academy	Virgie Rentie	Executive Director/CEO	1
REAL Journey Academies	Alex Lucero	Chief Executive Officer	1
Redding School of the Arts	Margaret Johnson	Executive Director	1
Redding STEM Academy	John Husome	Director / Principal	1
Rising Sun Montessori	Karl Zierhut	Head of School	1
River Charter Schools	Matt Taylor	Superintendent	2
River Montessori Elementary Charter	Kelly Mannion	Executive Director	1
ROADS Education	Jayna Gaskell	Executive Director	4
Rocketship Public Schools	Preston Smith	CEO	13
Rocklin Academies	Robin Stout	CEO/Executive Director	5
Ronald Reagan Charter School Alliance	Barbara Hale	Executive Director	2
Ross Valley Charter School	Luke Duchene	School Director	1
Sacramento Valley Charter	Amrik Singh	Superintendent/Principal	1

Samueli Academy	Anthony Saba	Executive Director	1
San Diego Cooperative Charter Schools	Tom Pellegrino	Executive Director	1
San Diego Global Vision Academy	Christine Kane	Executive Director	1
San Jose Conservation Corps Charter	Dorsey Moore	Executive Director	1
Santiago Middle	James D'Agostino	Principal/Executive Director	1
Scholarship Prep	Jason Watts	COO	2
School for Entrepreneurship and Technology	Neil McCurdy	CEO	1
School of Arts and Enterprise	Jon Gundry	Executive Director	1
Semillas Community Schools	Marcos Aguilar	Executive Director	1
SF Five Keys	Steve Good	Executive Director	3
Shasta Secondary Home School, Inc.	Benjamin Claassen	Director	1
Sherwood Montessori	Michelle Yezbick	Director	1
Sierra Academy of Expeditionary Learning	Erica Crane	Administrator	1
Sierra Charter	Lisa Marasco	Principal / CEO	1
Southern Humboldt Charter Schools	Elisa Patterson	Executive Director	1
Springs Charter Schools	Kathleen Hermsmeyer	Superintendent	3
St. Hope Public Schools	Kari Wehrly	Chief of Schools	2
Stallworth Charter Schools	Gayle Stallworth	Executive Director	1
Stockton Collegiate International	Scott Luhn	Head of School	2
STREAM Charter School	Don Phillips	Director	1
Summit Leadership Academy - High Desert	Victor Allende	Executive Director	1
Summit Public Schools	Diane Tavenner	CEO	5
Suncoast Preparatory Academy	Shawna MacDonald	Principal/Interim Director	1
Suncoast STEAM Academy	Annette Kennedy	Principal/Interim Director	1
Sunrise Middle School	Teresa Robinson	Executive Director	1
Temecula International Academy	Camile Lara	Principal	1

Temecula Preparatory School	Michael Agostini	Head of School	1
Temecula Valley Charter School	Allen Neuenschwander	Principal	1
The Beginning Project	Stacy Strauss	SPED Administrator	1
The Language Academy of Sacramento	Eduardo de Leon	Principal	1
The Learner-Centered School, Inc.	Edna Heller	Co-Administrator	2
The New School of San Francisco	Emily Bobel Kilduff	Head of School	1
The O'Farrell Charter Schools	Susan Cuttitta	Interim Superintendent	2
Thomas Edison Charter Academy	Anakarita Allen	Executive Director/Superintendent	1
Today's Fresh Start Charter School	Jeanette Parker	Superintendent	1
Tomorrow's Leadership Collaborative Charter School	Jessica Tunney	Executive Director	1
Tracy Learning Center	Virginia Stewart	CEO	3
Trivium Academy of Classical Education	Trisha Vais	Executive Director	3
Unity Middle College High	Erin Craig	Founding Executive Director	1
Urban Discovery Academy Charter	Shawn Loescher	CEO	1
Urban Montessori Charter	Krishna Feeney	Head of School	1
Valiente College Preparatory	Dr. Esther Perez	Executive Director	1
Vibrant Minds	Debra Schroeder	Director	1
Vista Charter Public Schools	Don Wilson	Superintendent	2
Vista Oaks Charter School, Inc.	Lucy Berk-Fisher	Director of Special Education	1
Westlake Charter Schools	John Eick	Executive Director	1
Willow Educational Foundation	Seth Feldman	Executive Director	1
Winship Community	Julie Haycock	Principal	1
Woodland Star Charter	Jamie Lloyd	Administrator/CEO	1
Yosemite Valley Charter	Laurie Goodman	Executive Director/Principal	1
Yuba City Charter School, Inc.	James Ferreira	Superintendent/Principal	1
Yu Ming Charter	Sue Park	Head of School	1
<b>Total Number of Organizations</b>	<b>204</b>	<b>Total Number of LEAs</b>	<b>427</b>



2020-21 Membership LEA Total			427
El Dorado Charter SELPA - New Charter LEA's Joining and Exiting for 2021-22			
SELPA Status	Partner Name	LEA Name	Totals
New LEA's	All Tribes American Indian Charter School, Inc.	All Tribes Charter	1
		All Tribes Elementary Charter	1
	Alternatives in Action	Alternatives in Action	1
	Across the Bridge Foundation	Downtown College Preparatory	1
		Downtown College Preparatory Middle	1
	Eagle Collegiate Academy	SBE - Eagle Collegiate Academy	1
	REAL Journey Academies	Entrepreneur High Fontana	1
	Elite Academic Academy - Mountain Empire	Elite Academic Academy - Mountain Empire	1
	Highland Academy Charter School, Inc.	Highland Academy	1
	International School of Monterey	International School of Monterey	1
	Sonoma Charter	Sonoma Charter	1
	Wildflower Open Classroom	Wildflower Open Classroom	1
	Urban Charter Schools Collective	Yav Pem Suab Academy - Preparing for the Future Charter	1
Expansions	Achieve Charter School of Paradise, Inc.	Achieve Charter School of Chico	1
	Aspen Public Schools, Inc.	Aspen Ridge High School	1
	Altus Schools	Audeo Valley Charter School	1
	Orange County School of the Arts	California School of the Arts - San Gabriel Valley	1
	California Virtual Academies	California Virtual Academy at Maricopa	1
		Insight School of California	1
	Da Vinci Schools	Da Vinci Connect	1
	KEY Educational Group	KEY Academy San Leandro	1
	KIPP SoCal Public Schools	KIPP SoCal LEA	1
	KIPP: Public Schools Northern California	KIPP Stockton	1
Subtotal			23
Exiting	Circle of Independent Learning	Circle of Independent Learning	1
	KIPP: Public Schools Northern California	KIPP Excelencia Community Preparatory	1
	Oxford Day Academy	Oxford Day Academy	1
Subtotal			(3)
Closing	ASPIRE Public Schools	Aspire ERES Academy	1
	Suncoast STEAM Academy	Suncoast STEAM Academy	1
	Partners in Oakland Education	Vincent Academy	1
Subtotal			(3)
2021-22 Membership LEA Total			444
Informational Item Only			
Deferred from 21-22 to 22-23	El Dorado County Office of Education	Charter Alternative Program	1
		Charter Community Home Study	1
	Invictus Schools	Invictus Leadership Academy	1
Subtotal (not included in total count)			3





## Partner Oversight Update

### Background

The Oversight Policy adopted by the CEO Council in October 2019 calls for continuously monitoring partners' special education programs and data to determine whether practices align with LEA responsibilities to students with disabilities and SELPA policies. Examples of existing indicators and standards include but are not limited to:

- Identification rate of special education students that is below 4% or greater than 14%
- State Performance Plan Indicators
- Significant swings in enrollment and/or enrollment trends that are not aligned to the LEA's instructional calendar
- Patterns of compliance complaints or due process hearings
- Evidence of exclusionary practices
- Significant and/or abrupt change in leadership or staff
- No/low participation or engagement in the Charter SELPA (CEO Council, Professional Learning Network, professional learning offerings, etc.)
- Unspent funds greater than 25%
- Annual independent audit which shows serious fiscal solvency issues or material findings (e.g., findings related to internal control or program compliance, high debt ratios, deficit spending, going concern findings, adequate reserves, and adequate cash)

If one or more of the preceding triggers indicates a potential problem, the Charter SELPA may initiate a program and/or fiscal review. Appropriate Charter SELPA administrators facilitate program and fiscal reviews. Charter SELPA's goal in each review process is to identify the areas of SELPA concern, discuss any underlying issues that may impact the findings, and identify how the Charter SELPA can assist the LEA in any necessary corrective action.

When multiple or connected concerns exist, the Charter SELPA may implement an Integrated Review Team (IRT) visit. An Integrated Review Team (IRT) visit consists of the Charter SELPA program and business administrators meeting directly with the charter LEA leadership team.

The monitoring process is year-round. This report to the CEO Council is a snapshot update.

### Identification Rates

Recent trend of Charter SELPA special education Identification rates:

Identification Rates	
Year	%
2020-21	11.77%
2019-20	10.91%
2018-19	10.83%
2017-18	10.28%

Unfortunately, the state has not published data on special education pupil counts since 2018-19. For that year, the statewide average identification rate was 12.85%.

Historically, first-year charters have had a lower average identification rate than 2+ year partners. For 2020-21, the rates are 7.93% (Yr 1) and 12.28% (Yr 2+), respectively.

Identification Rate by Enrollment			
	2020-21 Enrollment	Pupil Count Dec 2020	SpEd Count as % of Enrollment
Partners - First Year in SELPA	28,571	2,267	7.93%
Partners - 2 or more Years	213,187	26,182	12.28%
Total	241,758	28,449	11.77%

If a charter is above 14% or below 4%, it may suggest a deeper analysis and review. If a charter continues at less than 4% in the second year, that may be a sign of concern; perhaps identification or program issues. Low identification rates often coincide with charters that have unspent funds.

### Due Process

There have been 23 due process filings in 2020-21 thus far. This compares to 57 filings in 2019-20.

### State Complaints

There have been 7 state complaints in 2020-21 thus far. This compares to 31 complaints in 2019-20. All complaints have been resolved within the required timeline.

### Participation

Building effective special education programs as a SELPA partner requires active engagement in governance and educational opportunities and networking with peers for best practice information. Therefore, Charter SELPA tracks partner participation in governance, professional learning network meetings, and professional learning offerings throughout the year.

Usually, if a partner has not been active from July through December, a formal letter is sent in January. Due to school shutdowns this past year, Charter SELPA tracked participation in virtual meetings and professional learning but decided against sending letters to the field. We recognize school closure and distance learning created challenges for school teams and their ability to attend regularly. Going into the 2021-22 school year, we will continue to track attendance and follow up per SELPA participation expectations.

### OCR Complaints

There have been no OCR complaints in 2020-21 thus far. There were also zero for 2019-20.

### Unspent Funds

Statewide, on average, approximately 65% of special education expenditures are covered by unrestricted funds. For SELPA partners, the average is just over 38%. Therefore, unspent special education funding in a charter is an uncommon situation calling for further analysis. The Allocation Plan calls for specific action when special education funding remains unspent at the close of any fiscal year.

In 2018-19, 14 charters had unspent funds. At the close of 2019-20, a total of 11 charters had unspent funds:

- Three had unspent funds equal to or greater than 25% and were deemed ineligible for 2020-21 federal funding. Per the Allocation Plan, these charters were placed on reimbursement-based funding for 2020-21. Based on the final 2020-21 expenditure reporting, any funding left unspent will be transferred to the Rate Protection Pool as revenue.
- Eight had less than 25% unspent funds, and current-year budgets were requested. Budgets were then assessed to determine the extent to which the charter plans to spend the prior year carryover in 2020-21. Based on this review, all eight of these charters remain eligible for federal funding this year.

## Audit Reports

The audit review focuses on:

- going concern determinations
- the qualified/unqualified opinion of the auditor
- audit findings of a material nature that could impact state/federal special education compliance or future fiscal solvency
- net asset position
- cash sufficiency
- operating surplus/deficit

Many CMO/Non-Profit Partner organizations submit a single audit report that encompasses all charters under the umbrella of the partner. We received audit reports from all partners.

Following is a summary of the results of the 2019-20 audit review. The counts are reported on an unduplicated basis.

- No partners received a **negative-going concern** designation
- One partner (1 LEA) was issued a **qualified** audit report (15 LEAs last year)
- One partner (1 LEA) had **material findings** of consequence (5 LEAs last year)
- Six partners (9 LEAs) had **negative net asset** positions (6 LEAs last year)

Current year interim budgets or further information has been requested for the partners listed, as applicable, and are under review.

## Enrollment Monitoring

As reported last May, during 2020-21 point-in-time enrollment data was collected from all partners in October, January, and April this year to monitor student count trends more closely.

- There were no LEAs that showed concerning prior year to current year enrollment growth.
- There were three small single-partner LEAs that showed prior year to current year enrollment declines of 25%+ each. The potential financial risk to the SELPA is represented by the probability that these declines create insolvency in the current year if circumstances are such that there is no ability to recover distributed funding. The potential risk is very small given the 471 total current year enrollment for the three is .19% of the total SELPA enrollment of 241,758. The LEAs are submitting Interim budgets to the SELPA.
- Thus far, there are no current-year growth or decline enrollment trends of concern.

## Recommendation - None

This report is provided for information only. No action is required.

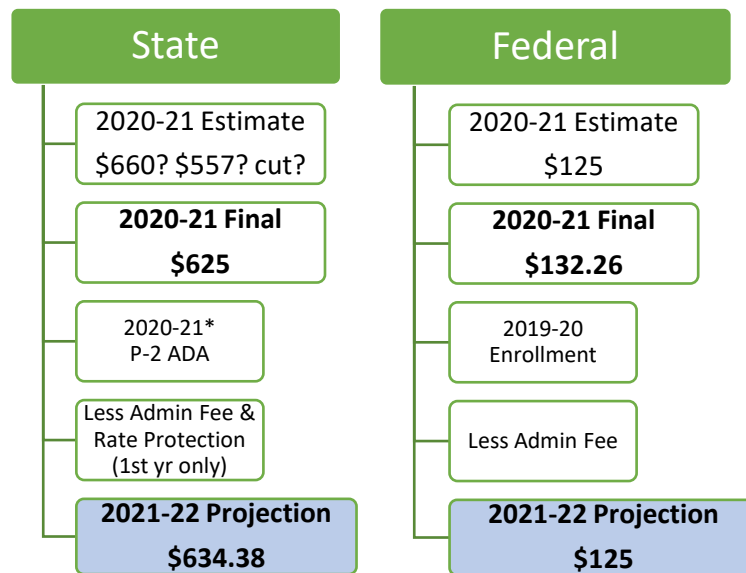


## Funding Rates

### Background

The Charter SELPA Allocation Plan requires that CEO Council is updated on funding rate determinations.

### Funding Rates



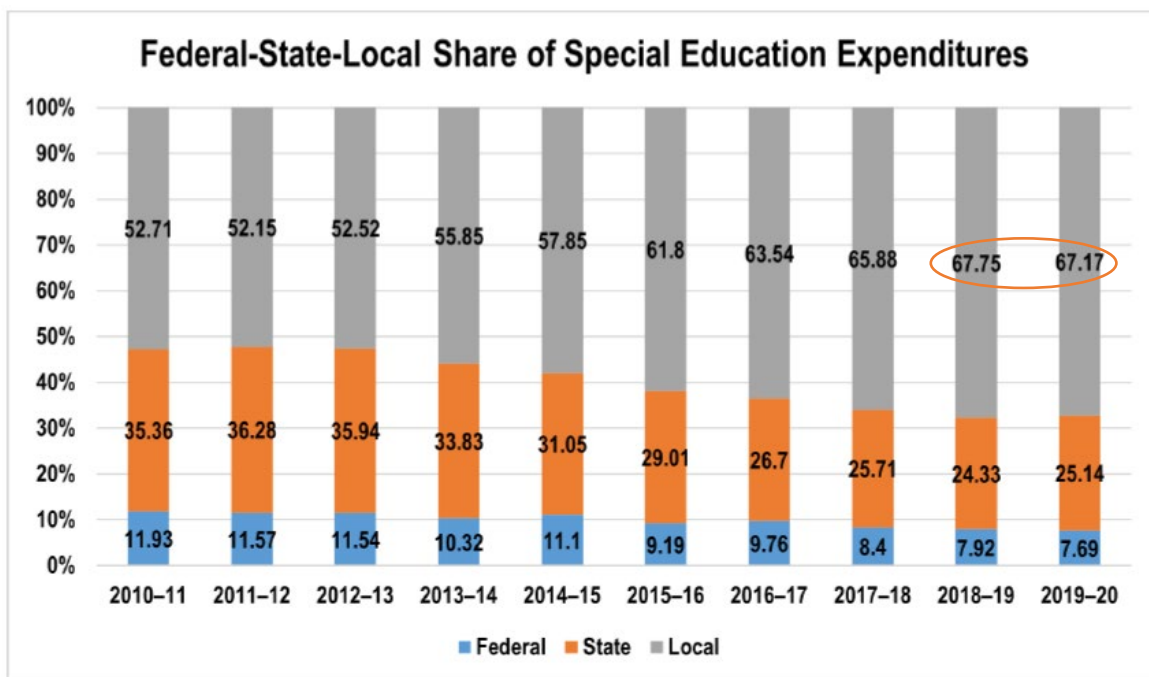
\*2020-21 ADA equal to 2019-20 ADA plus approved growth.

### Path to a Final 2020-21 State Budget:

- January: The Governor's January proposed budget included a projected 2.29% COLA and increasing the SELPA Statewide Target Rate from \$557/ADA to **\$660/ADA** based on a 3-year rolling average of ADA for each LEA in a SELPA.
- February: Proposed trailer bill language sunsets AB 602 as of July 1, 2020. This would eliminate the special education deficit by curing a conflict between Ed Code and Appropriations language.
- Mid-March: The significant impacts on the state's fiscal condition from the COVID-19 dilemma compelled the Department of Finance to issue an advisory that 2020-21 budgeting will occur in the context of a workload budget. The announcement stated that there should be no expectation of full funding for either new or existing proposals.
- Late March: Preliminary advice was that the \$645M needed for the \$660/ADA proposal was now part of the state's MOE base and, therefore, somewhat protected. Later, it was clarified that only a portion (\$152M) was part of the state's MOE base, and the workload budget could redistribute the other \$493M in any way deemed necessary.
- April: The only sure thing is that the May revised budget will be substantially different from the January proposed budget. However, exactly how different is impossible to ascertain, given the unknown final impact of the fight against COVID-19. And the

unfortunate reality is that details of the May revised budget are too late to incorporate into our 2020-21 adopted budgets.

- **May:** The Governor's May revision budget proposal eliminates the COLA but delivers the **\$645/ADA** Statewide Target Rate from the January proposal.
- **June:** The Final Budget Act (SB 98) incorporates the proposed trailer bill language from February to declare inoperable several aspects of the existing AB 602 special education funding formula. It also redirects to Low Incidence funding \$100M of the money needed to pay for the \$645/ADA Statewide Target Rate proposed in May. This equates to a **\$625/ADA** Statewide Target Rate, a significant Low Incidence funding increase, and eliminates the ongoing special education deficit. These factors represent the most significant move toward SELPA rate equalization and the largest increase in special education funding since AB 602 was passed (see the chart below). An ADA "hold harmless" in the final budget establishes that an LEA's 2020-21 ADA is equal to ADA certified at 2019-20 P-2. The final budget also contains a freeze going forward to 2019-20 SELPA ADA for calculating PS/RS revenue and ERMHS funding. The student count used to calculate Low Incidence revenue is also frozen at 2109-20 levels. The Governor includes a signing message urging the legislature to address growth funding for schools with "planned expansion."
- **September:** An Education Trailer Bill (SB 820) is signed, which includes an application-based growth funding provision. Nonclassroom-based schools are excluded from applying and only LEAs that budgeted for 2020-21 growth are eligible, equating to something very different from a hold harmless for these LEAs.



The 2019-20 increase in the Statewide Target Rate to \$557/ADA shrunk the statewide LEA local contribution as a percentage of total cost for the first time in ten years. An even larger step was made in the 2020-21 budget with an increase to \$625/ADA and increased Low Incidence Funding. It is expected that the balance of funding will tip further towards the state in 2020-21 as a result.

### Update as of February 2021

CDE released certified First Principal Apportionment (P-1) data on February 19<sup>th</sup>. Following is a summary of results for the Charter SELPA.

- The Statewide Target Rate is \$625/ADA and no deficit (proration) factor is applied.
- ADA hold harmless impact:
  - Prior year ADA for new partners in operation in 2019-20 is included in SELPA ADA.
  - For start-ups, enrollment as of Information Day (10-7-20) was reduced by the applicable statewide grade span absence rate to derive ADA included in SELPA ADA.
  - There were a few LEAs that received ADA growth funding per the rules the legislature promulgated, which is included in SELPA ADA.
  - SELPA ADA is 233,202 compared to prior year of 211,164 (2019-20 P-2).
- ADA for the PS/RS revenue to the SELPA was frozen at 2019-20 and no ADA from new partners is included in the count. This dropped SELPA revenue by \$363,481 from what it would have been w/o the ADA freeze.
- Mental Health revenue is also based on the 2019-20 figure and no ADA from new partners is included in the count. This dropped ERMHS revenue by \$1,422,773 from what it would have been w/o the ADA freeze.
- Low Incidence revenue continues to be based on the prior year low incidence student count, consistent with previous years. This creates the situation of not being able to verify the student count freeze until next year.

### Recommendation - None

This report is provided for information only. No action is required.



## ERMHS Update

### Background

All column and row references are in Table 1 on page 2.

In response to the final 2020-21 state budget, the CEO Council approved one-time Level 1 funding of \$10/ADA for the current year. The ability to create this one-time Level 1 funding is a direct result of the cautious approach to the 2019-20 final Finding of Sufficiency recommended by the Executive Committee. The Level 1 budget is shown in row 4. The decrease in cost from the September projection results from LEAs that declined the funding.

The September 2020 Finding of Sufficiency for Levels 2 & 3 resulted in the following 2020-21 ERMHS funding parameters:

- **Level 2 (80% of the lesser of):**
  - \$3,000 per eligible ERMHS SEIS count based on the December 1 count; or
  - January 2021 budget request

Final reimbursement is the lesser of the above or final expenditures submitted July 2021.  
\$100K is allocated for Level 2 transportation, and indirect costs for Level 2 are allowed.
- **Level 3 Site-Based Structured Therapeutic Program (80% funded)**
- **Level 3 NPS ERMHS (90% funded)**
- **Level 3 NPS Residential Room and Board (100% funded)**

These reimbursement parameters and their projected costs are shown in rows 5-8. Column B shows the September projection; column D shows the current projection.

### Update/Analysis

#### Revenue

State revenue (row 1) and total revenue (row 3) have been updated since September based on February P-1 attendance certification data. The reduction in state revenue is related to a freeze imposed by the state budget on the ADA used to calculate ERMHS revenue to the SELPA.

#### Budget Assumptions

The updated expenditures in column D are based on partner budget submissions. Based on the history of the variance between submitted budgets and final expenditures, the following proration percentages have been applied to the updated budget amounts:

- Level 2 & Level 3 Site-Based Programs: 96% of budgeted
- Level 3 NPS & NPS Residential: 90% of budgeted

#### Level 2

Working with our partners, the SELPA reconciled the details of January budget submissions with student IEPs. The total Level 2 budget based on the September reimbursement percentages appears in cell D5.

### Level 3

The budget for overall Level 3 expenditures is just slightly lower than the September projection (6%). Updated totals for NPS Site-Based Therapeutic costs, NPS ERMHS costs, and NPS residential costs based on the September reimbursement percentages are reflected in cells D6 through D8.

### Finding of Sufficiency

The Allocation Plan's May determination calls for modeling changes in the percentage reimbursement levels established in September. The Allocation Plan details a priority order for this modeling:

1. Increase Level 2 reimbursement, Level 2 transportation, and Level 3 Site-Based Structured Therapeutic Program from 80% to 90%.
2. Increase Level 3 NPS ERMHS from 90% to 95%.
3. Increase Level 2, Level 2 transportation, and Level 3 Site-Based Structured Therapeutic Program from 90% to 95%.
4. Increase Level 2, Level 2 transportation, Level 3 Site-Based Structured Therapeutic Program, and Level 3 NPS ERMHS from 95% to 100%.

Columns E through J show the results of applying the order of priority in the Allocation Plan above.

Table 1

	A	B	C	D	E	F	G	H	I	J
ERMHS Budget	Pro- ration	2020-21 Projected (Sept 2020)	Pro- ration	2020-21 Projected (Feb 2021)	Pro- ration	2020-21 Projected (Feb 2021)	Pro- ration	2020-21 Projected (Feb 2021)	Pro- ration	2020-21 Projected (Feb 2021)
1 State		15,138,260		13,633,838		13,633,838		13,633,838		13,633,838
2 Federal		2,460,312		2,460,312		2,460,312		2,460,312		2,460,312
3 Total Revenue		\$ 17,598,572		\$ 16,094,150		\$ 16,094,150		\$ 16,094,150		\$ 16,094,150
4 Level 1	100%	2,324,000	100%	1,965,160	100%	1,965,160	100%	1,965,160	100%	1,965,160
5 Level 2	80%	12,500,000	80%	10,153,522	90%	11,422,712	95%	12,057,308	100%	12,691,903
6 Level 3 Therapeutic	80%	640,000	80%	760,854	90%	855,960	95%	903,514	100%	951,067
7 Level 3 NPS	90%	1,830,000	90%	1,847,237	95%	1,949,862	95%	1,949,862	100%	2,052,486
8 Level 3 Residential	100%	2,019,000	100%	1,354,544	100%	1,354,544	100%	1,354,544	100%	1,354,544
9 SELPA Indirect		509,700		585,900		585,900		585,900		585,900
10 Total Expenditures		\$ 19,822,700		\$ 16,667,217		\$ 18,134,139		\$ 18,816,287		\$ 19,601,060
11 Revenue less Expenditures		\$ (2,224,128)		\$ (573,067)		\$ (2,039,989)		\$ (2,722,137)		\$ (3,506,910)
12 Beginning Balance		\$ 3,874,098		\$ 3,874,098		\$ 3,874,098		\$ 3,874,098		\$ 3,874,098
13 Ending Balance		\$ 1,649,970		\$ 3,301,031		\$ 1,834,109		\$ 1,151,961		\$ 367,188
14 Reserve (% of Revenue)		9.4%		20.5%		11.4%		7.2%		2.3%



## Finding of Sufficiency

Managing to the 5-10% (of revenue) reserve in the Allocation Plan, the final finding of sufficiency for 2020-21 is reflected in Column H:

- **Level 2 (increase from 80% to 95% of the lesser of):**
  - \$3,000 per eligible ERMHS SEIS count based on the December 1 count; or
  - January 2021 budget request (updated with final expenditures July 2019)  
\$100K is allocated for Level 2 transportation, and indirect costs for Level 2 are allowed.
- **Level 3 Site-Based Structured Therapeutic Program (increase from 80% to 95% funded)**
- **Level 3 NPS ERMHS (increase from 90% to 95% funded)**
- **Level 3 NPS Residential Room and Board (100% funded)**

Changes to the funding parameters resulting from this finding of sufficiency will be communicated to the field.

## Recommendation - None

This report is provided for information only. No action is required.



## Low Incidence Update

Low incidence revenue is calculated by multiplying the state-determined funding rate by the prior year count of students in the SELPA with low incidence disabilities, defined in Education Code as hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof. A component of the increase in special education funding delivered by the 2020-21 Budget Act (SB 98) significantly increases low incidence funding. In past years, the SELPA received ≈\$465 per low incidence student. That per-student amount as of February 2021 (P-1) is \$3,050. Cells B1 and C1 in the table show the considerable difference in total revenue from 2019-20.

Throughout the year, messaging about the increased funding was delivered via PLN meetings, fiscal meetings, and email. The SELPA also simplified the processing of low incidence claims. The electronic request template was enhanced, and the amount of supporting documentation required was reduced. Although the maximum reimbursement is higher, these measures did not generate significantly more reimbursement requests for 2020-21.

May 1 is the deadline for claim submission. The current projection for 2020-21 reimbursement claims is slightly over \$1M (cell C4). Carry-over of \$19K (cell B9), \$60K in unapproved claims from the prior year (cell C2), and the revenue increase provide full reimbursement of all submitted and approved claims. The estimated carry-over of unused revenue is \$766K (cell C9). Final awards will be updated with actual expenditure reporting in July 2021.

The goal is to push all low incidence funding received out to partners each year. For 2020-21, carrying over nearly 44% of current year revenue is inconsistent with that goal. SELPA administration is currently gathering legal and program information to inform possible changes in the low incidence distribution model. Any recommended changes will be presented to CEO Council at the October 2021 meeting.

Low Incidence Pool		A	B	C
		2018-19 Final	2019-20 Final	20-21 Projected
1	Revenue	183,147	236,354	1,750,948
2	PY Pending Claims Closed	8,620	-	60,011
3	Total Revenue	\$191,767	\$236,354	\$ 1,810,959
4	Awards	207,014	198,323	1,064,685
5	Pending Claims	-	66,960	
6	Total Expenditures	\$207,014	\$265,283	\$ 1,064,685
7	Income less Expenditures	(\$15,247)	(\$28,929)	\$ 746,274
8	Beg Balance	\$63,475	\$48,228	\$ 19,299
9	Ending Balance	\$48,228	\$19,299	\$ 765,573

## RECOMMENDATION - NONE

This report is provided for information only. No action is required.



## ERMHS Allocation Plan Considerations

### Background

At the March 2021 meeting, the Charter SELPA Executive Committee reviewed the final 2020-21 ERMHS determination made by SELPA administration. In discussing “what-if” changes to the reimbursement percentages, it was highlighted that the current allocation plan language is prescriptive in terms of determining the final reimbursement percentages. The Executive Committee requested that proposed amendments to the ERMHS section of the Allocation Plan be presented at the April Executive Committee meeting. Specifically, the committee wanted to entertain providing SELPA administration with more flexibility in the final annual determination of sufficiency for ERMHS funding.

### Issue

Current Allocation Plan language calls for Managing to a 5-10% (of revenue) reserve by modeling changes in the percentage reimbursement levels established at the beginning of the year. The modeling is constrained by following a specific priority order with prescribed levels of increase in percentage reimbursements.

### For Consideration

The amendments shown below were discussed and recommended by the Executive Committee to be presented to the full CEO Council.

~~a. By February 28 of each year:~~

- ~~● Charter SELPA administration will make a finding of the sufficiency of mental health funding based on Level 2 budget requests submitted and Level 3 budget requests submitted. If there is a finding of the sufficiency of funds, and:~~
- ~~● If the Level 2 formula was set lower than \$3,000, the formula would be increased up to \$3,000~~

~~b. By May of each fiscal year:~~

- ~~● Charter SELPA leadership shall make a finding of the sufficiency of ERMHS ending balance for the current fiscal year and will set the reserve level in a range from 5% to 10%.~~

~~The amount over the established reserve (5% to 10%) shall be allocated in the following order:~~

- ~~● Increase Level 2 reimbursement, Level 2 transportation, and Level 3 site-based structured therapeutic program from 80% to 90%.~~
- ~~● Increase Level 3 NPS ERMHS from 90% to 95%.~~
- ~~● Increase Level 2, Level 2 transportation, and Level 3 site-based structured therapeutic program from 90% to 95%.~~

- ~~Increase Level 2, Level 2 transportation, Level 3 site-based structured therapeutic program, Level 3 NPS ERMHS from 95% to 100%.~~

### **5.1 - Findings of Sufficiency**

By May of each year, the Charter SELPA administration will make a final finding of the sufficiency of mental health funding based on Level 2 and Level 3 budget requests submitted. SELPA administration will use the following factors to manage the budgeted year-end reserve to a range from 5% to 10% of current year revenue.

- The Level 2 per-service amount may be adjusted.
- Reimbursement percentages for Level 2 and Level 3 may be adjusted.

### **Recommendation**

The Executive Committee recommends that this Allocation Plan amendment be approved by the CEO Council.



## Risk Management Recommendation

### Background

Based on the fraudulent activity of the A3 Education organization, CDE unilaterally and retroactively reduced the 2018-19 ADA for all A3 schools from over 20,000 to zero. This resulted in prior year adjustments that translated into a significant reduction in 2019-20 revenue to the Charter SELPA. Approximately \$4.7M from the Rate Smoothing Pool, \$560K from the Set-Aside Risk Pool, and a downward adjustment of \$5.00 per ADA to the 2019-20 Charter Member Rate (state funding rate to partners) covered the \$6.9 million loss.

Further, with the advent of AB 1505 and AB 1507, there is much greater scrutiny and concern at both state and local levels regarding the operation of charter schools in California. The impact on charter school authorization and reauthorization is likely to lead to fewer new charters and the closure of some existing schools. The impact on the SELPA would be slower growth and the loss of members.

At the October 2020 CEO Council meeting, the Executive Committee was asked to consider options for protecting SELPA funding in general and mitigating the risk of loss from unforeseen events like the A3 Education situation. At the March and April 2021 meetings, the Charter SELPA Executive Committee discussed and considered additional contributions to subsidize the Rate Protection Pool and other options to mitigate funding losses. The committee focused on additional contributions to the pool, and several projected scenarios were reviewed and discussed. This attachment presents the Executive Committee's recommendation.

### Issue

The Rate Protection Pool provides SELPA-wide protection against funding losses, and there is a comprehensive SELPA Oversight Policy in place. However, referencing the A3 Education situation, SELPAs have no role in determining, monitoring, or certifying ADA reports. Therefore, the extent of SELPA level protection in a case such as this is the Rate Protection Pool balance. The primary funding source for the pool is contributions of \$5.00 per ADA from new charters joining the Charter SELPA each year. The Rate Protection Pool is projected to end 2020-21 with a balance of \$2.2M, shown in cell A8 in Table 1 below. The columns to the right (C-E) estimate growth of the pool balance for the next four years.

Table 1		A	B	C	D	E
	Rate Protection Pool	2020-21	2021-22	2022-23	2023-24	2024-25
1	Beginning Balance	\$234,961	\$2,176,638	\$2,232,245	\$2,288,206	\$2,349,519
2	Transfer from Legal Risk	\$149,577				
3	Transfer from Rate Smoothing	\$1,682,441				
4	Revenue from New Charters	\$132,780	\$85,000	\$90,000	\$100,000	\$125,000
5	Unspent Funds	\$72	\$10,000	\$10,000	\$10,000	\$10,000
6	Annual Expenditures	(\$23,193)	(\$39,393)	(\$44,040)	(\$48,687)	(\$53,334)
7	P-2 ADA	233,302	249,526	266,993	285,682	305,680
8	Ending Balance	\$2,176,638	\$2,232,245	\$2,288,206	\$2,349,519	\$2,431,185
9	Dollars of Rate Protection	\$ 9.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 7.00

## For Consideration

Table 2 projects the Rate Protection Pool balance going forward with a \$2/ADA additional contribution from existing members added each year, barring any extraordinary charges to the pool. The Executive Committee also analyzed two other scenarios that incorporated no growth and negative growth assumptions. The committee was unanimous in thinking that subsidizing the pool is necessary.

Discussion included thoughts about:

- the environment of higher special education funding;
- the unknown probability and size of recovery of lost A3 Education funding;
- the likelihood that seeking the advice of financial experts would yield assistance; and
- the possibility of checking with other charter SELPAs.

Ultimately, the committee decided on recommending to CEO Council a measured approach, which is captured below.

Table 2		A	B	C	D	E
	Rate Protection Pool	2020-21	2021-22	2022-23	2023-24	2024-25
1	Beginning Balance	\$234,961	\$2,176,638	\$2,714,298	\$3,286,244	\$3,898,922
2	Transfer from Legal Risk	\$149,577				
3	Transfer from Rate Smoothing	\$1,682,441				
4	Revenue from New Charters	\$132,780	\$85,000	\$90,000	\$100,000	\$125,000
5	Unspent Funds	\$72	\$10,000	\$10,000	\$10,000	\$10,000
6	Annual Expenditures	(\$23,193)	(\$39,393)	(\$44,040)	(\$48,687)	(\$53,334)
7	ADA from New Charters	26,556	17,000	18,000	20,000	25,000
8	Additional Contributions	\$0	\$465,052	\$497,986	\$531,365	\$561,361
9	P-2 ADA	233,302	249,526	266,993	285,682	305,680
10	<b>Additional Contributions (\$/ADA)</b>	<b>\$ -</b>	<b>\$ 2.00</b>	<b>\$ 2.00</b>	<b>\$ 2.00</b>	<b>\$ 2.00</b>
11	<b>Ending Balance</b>	<b>\$2,176,638</b>	<b>\$2,714,298</b>	<b>\$3,286,244</b>	<b>\$3,898,922</b>	<b>\$4,566,949</b>
12	<b>Dollars of Rate Protection</b>	<b>\$ 9.00</b>	<b>\$ 10.00</b>	<b>\$ 12.00</b>	<b>\$ 13.00</b>	<b>\$ 14.00</b>

## Recommendation

The Executive Committee believes that the Rate Protection Pool should be augmented and that allowing time for collecting more information will lead to a more informed decision. CEO Council is requested to consider and approve an additional \$2/ADA contribution from existing members in 2021-22, the continuation of which will be reviewed annually by the CEO Council. For context, \$2.00 equates to 0.03% of the proposed \$656.69 special education funding rate for 2021-22.