Learning Recovery & Dispute Prevention
Fiscal & Program Requirements
The Basics

General

• These two funding streams took everyone by surprise...ESPECIALLY CDE! Today represents the best information we have to date.

• This webinar is being recorded.

• The recording along with the slide deck will be posted on the fiscal page of the Charter SELPA website.

• We will continue to communicate as we know more.

Participation

Time is limited today, and we do not have all the answers yet. We will collect questions via the chat box, answer what we can toward the end of the webinar and communicate later as we receive further guidance.
Overview of funding

Requirements for the Dispute Prevention Plan

Requirements for the Learning Recovery Plan

Resources and Questions
Overview of Funding
• Section 160 of AB 130 (Chapter 44, Statutes of 2021) appropriated $100,000,000 from the General Fund to the CDE, on a one-time basis, for allocation to Special Education Local Plan Areas (SELPAs).

• The funding is to support member local educational agencies in conducting dispute prevention and voluntary alternative dispute resolution activities to prevent and resolve special education disputes resulting from school disruptions stemming from the COVID-19 public health emergency during the period of March 13, 2020, to September 1, 2021, inclusive, in a collaborative and equitable manner.
Section 161 of AB 130 (Chapter 44, Statutes of 2021) appropriated $450,000,000 from the General Fund to the CDE, on a one-time basis, for allocation to Special Education Local Plan Areas (SELPAs).

The funding is to provide learning recovery support. Specifically, this funding shall be expended by SELPAs and their member LEAs for purposes of providing learning recovery support to pupils with disabilities associated with impacts to learning due to school disruptions stemming from the COVID–19 public health emergency during the period of March 13, 2020, to September 1, 2021, inclusive.
# Summary of Fiscal Components

| Dispute Prevention Funds  
| (RS 6536)  
| (SB 130 Section 160) | Learning Recovery Funds  
| (RS 6537)  
| (SB 130 Section 161) |
| --- | --- |
| **Budget Appropriation (Statewide)** | **Budget Appropriation (Statewide)** |
| $100,000,000 | $450,000,000 |
| **Amount to Charter SELPA** | **Amount to Charter SELPA** |
| $3,676,743 | $16,545,343 |
| **Basis of Allocation** | **Basis of Allocation** |
| SWDs ages 3-22; greater of 2019 or 2020 counts | SWDs ages 3-22; greater of 2019 or 2020 counts |
| **Distribution of Funds** | **Distribution of Funds** |
| To SELPAs, which must allocate and then distribute at least 80% to LEAs | To SELPAs to be expended by SELPAs & LEAs, based on a plan |
| **Date for Allocation Calculations** | **Date for Allocation Calculations** |
| September 13, 2021 | Not specified |
| **Date of Distribution** | **Date of Distribution** |
| Determined by SELPA’s plan | Determined by SELPA/LEA plan |
| **Encumbrance Period** | **Encumbrance Period** |
| 7/1/21 to 6/30/23 | 7/1/21 to 6/30/23 |
| **Matching Requirement** | **Matching Requirement** |
| No | Yes (see slide 15) |
Funding Related Issues

- CDE has not shared the SELPA level calculation by LEA.
- Charters move in and out of the Charter SELPA each year.
- Start-Up LEAs in 2021-22 have no 2019-20 or 2020-21 pupil counts.
- Start-Up LEAs in 2020-21 have no 2019-20 pupil count.
- We are investigating whether and where to obtain certified prior year pupil counts where we do not have them.
- CDE needs to clarify the cash flow schedule.
- A survey will be sent for partners to opt in/out of accessing the funds.
- Will post preliminary allocations by Sept 13th (Monday).
- Final reporting will be required on how the funds were utilized at the LEA level.
• These are special ed designated state revenues (Resources 6536 & 6537).
• Additional special ed expenditures coded to state revenue increase an LEA’s MOE base for testing in the following year.
• Good: Together these streams represent a $550M increase to CA’s state-level MOE base, so cannot be removed from total state special ed funding going forward.

• Not-so-Good:
  • Depending on HOW this $550M is appropriated in following years (e.g. different allocation method), MOE issues could be created for individual LEAs.
  • Expenditures for a specific purpose like these may not need to continue forward.
• CDE has indicated they are aware of the MOE implications and will issue guidance in the form of future FAQs.
Requirements for the Dispute Prevention Plan
Dispute Prevention Plan (Section 160)

<table>
<thead>
<tr>
<th>Type of Requirement</th>
<th>Due Date</th>
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</thead>
<tbody>
<tr>
<td>Dispute Prevention Plan development</td>
<td>October 31, 2021</td>
</tr>
<tr>
<td>Receive allocation from State</td>
<td>August 31, 2021</td>
</tr>
<tr>
<td>Provide 80% allocation calculation to LEAs</td>
<td>September 13, 2021</td>
</tr>
<tr>
<td>LEA Support</td>
<td>Ongoing through September 2023</td>
</tr>
<tr>
<td>Program Reporting</td>
<td>October 1, 2023</td>
</tr>
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• On or before October 31, 2021, the El Dorado Charter SELPA will develop and submit a plan to the Superintendent of Public Instruction detailing how we will support our member local educational agencies in conducting dispute prevention and voluntary alternative dispute resolution activities.
For the purposes of the plan, activities shall include:

- Early intervention to **promote collaboration and positive relationships with families** to prevent disputes through proactive communication, collaborative problem solving, and parent support activities.
- Conducting **voluntary alternative dispute resolution activities to reach agreement and resolve issues** that are not resolved through the IEP process.
- Work in **partnership with Family Empowerment Centers or other family support organizations**.
- Develop and implement plans to identify, and conduct **outreach to, families who face language barriers and other challenges to participation in the special education process, and whose pupils have experienced significant disruption to their education** as a result of the COVID–19 pandemic.
Requirements for the Learning Recovery Plan (LRP)
**Overview of Requirements - Learning Recovery Plan (LRP)**

<table>
<thead>
<tr>
<th>LRP (Section 161)</th>
<th>Type of Requirement</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Learning Recovery” Plan development</td>
<td>October 25, 2021</td>
<td></td>
</tr>
<tr>
<td>Receive fiscal allocation from State</td>
<td>August 31, 2021</td>
<td></td>
</tr>
<tr>
<td>Provide fiscal allocation to LEAs</td>
<td>Dependent on details of the SELPA Learning Recovery Plan</td>
<td></td>
</tr>
<tr>
<td>LEA Support</td>
<td>Ongoing through September 2023</td>
<td></td>
</tr>
<tr>
<td>Program Reporting</td>
<td>September 30, 2023</td>
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The El Dorado Charter SELPA is required to work with member LEAs to develop and submit plans to the CDE detailing how the SELPA and its member LEAs will implement the requirements associated with this funding, including:

- detailed proposed expenditure information broken down by eligible activity;
- the number, disabilities, and demographics of pupils proposed to be served;
- evidence of matching funds as required by this section, and any other information required by the CDE;
- The plan should also specify the intended uses of the funds. **Plans must be uploaded to the fiscal portal no later than October 25th!**
Overview of Requirements - LRP

LRP Activities:

• Learning recovery support provided through the use of these funds must be related to COVID-19 school disruptions from the period of March 13, 2020 through September 1, 2021.
• Funding received must be matched on a 1:1 basis by other funds spent for these purposes.
• Funds must not supplant existing expenditures or obligations.
• Funds may not be used for attorney’s fees.
• Organizational partners can submit one plan on behalf of all of the LEAs in their organization.

CDE has clarified that the intention is not to require a cash match. Instead, the funds allocated for these purposes should be “matched” (i.e., connected to expenditures) to services and supports provided under the LRP.

The matching funds requirement would be met if the LEA can demonstrate that qualifying learning recovery expenditures are matched to learning recovery revenue.
Each LEA or Charter Organization (as appropriate) shall complete and submit an LRP to the SELPA no later than October 25, 2021.
SELPA Name/Code and Plan Description:

- El Dorado Charter SELPA
- 0951
- List the LEA name(s) to be included in the plan
Completing the LRP Template

Impacted Areas

- You must choose **at least one** of the following impacted areas:
  - Additional supports and services needed to address identified learning needs
  - Positive Behavior Supports
  - Assessing learning and academic needs of students
  - Social-emotional needs
  - High quality instruction
  - Supporting students’ return to in-person instruction
  - Child Find
  - Assessing students who are waiting for initial IEPs
  - Completing overdue IEPs
  - Other impacted areas (specify)
For each selected “Impacted Area” you must document the learning recovery services for students with disabilities and include objectives and metrics that will be used to measure success of the plan.

<table>
<thead>
<tr>
<th>Impacted Areas</th>
<th>Learning Recovery Services for Pupils with Disabilities Related to Impacts of Learning Resulting from COVID-19 School Disruptions (Including Objectives and Metrics that will be used to measure success)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessing Learning and Academic Needs of Students</td>
<td>(example) Hire academic learning coaches to purchase or develop and administer assessments and implement the learning lessons. The objective is to address learning gaps that may have occurred over the course of the 2019-20 school year. Success will be measured thorough the progress on interim and summative assessments.</td>
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Completing the LRP Template

LEAs must describe their **plan for implementation** of the activities, **including timelines and milestones**

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**Please describe your plan for implementation, including a timeline and milestones**

(example) In the fall of 2021, the LEA will hire instructional coaches and provide training. Assessments will begin in the Fall of 2021 and continue through Spring of 2022. As assessments are held, the instructional coaches will communicate with the IEP teams to update the necessary academic and special education supports that children need. In the Summer of 2021, the LEA will review the interim and summative assessments to adjust the deployment plan of the instructional coaches for the 2022-23 school year.
Completing the LRP Template

Proposed expenditures:

- List the proposed expenditure for each object code (as appropriate)
- For each projected expenditure, you must provide an itemized description and justification
Completing the LRP Template

Assurance of Matching Funds:

- SELPA Name: El Dorado Charter SELPA
- SELPA Director Name: Ginese Quann
- Date: Date on which you are submitting the plan

Assurance of Matching Funds

I am providing assurances that this plan will meet the grant cash match requirement required by Learning Recovery Plan Grant. To meet the cash match requirement, the SELPA will create a SELPA-level grant match. For multi-district SELPA’s, the SELPA will collect/ receive and review the grant match expenditure report for each member LEA.

These expenditure reports will be on file at the SELPA and will be made available upon CDE request. The grant match expenditure report will require the following items:

- Amount of grant allocation
- Amount of cash match
- List of expenditures for the amount (i.e. Purchase Order, Invoice, Payment Voucher, Journal Entry, Labor Report, etc.)
- Attestation or declaration that the amount qualified as a match for the purposes of the grant
- Agreement that the expenditures are subject to review

<table>
<thead>
<tr>
<th>SELPA Name</th>
<th>SELPA Director Name</th>
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Once your LRP is completed, based on the instructions in the previous slides, you must upload it to the Fiscal Portal in the same .pdf format as it was downloaded. From there, it will be reviewed for completeness by members of our Program and Business teams.

Note: **No Fiscal Portal credentials are needed if the following link is used to upload the information. Credentials are needed to edit or delete a document.**

https://app.edcoecharterselpa.org/Fiscal/LearningLossRecovery/Public
Process for Submission of the LRP

If using the link on the previous slide, skip to step 3. If logging in, start with step 1

1. Once in the Fiscal Portal- scroll down the left-hand side of the page and select “Learning Loss Recovery”

2. In the next screen, select the “Upload” button

• General reminder, if you ever need credentials to the Fiscal Portal, click “register” in the top right hand side of the screen
3. In the next screen you will select the LEA(s) for which you are submitting an LRP. If you are submitting a single plan for multiple LEAs, be sure to use the CTRL key to select each LEA included in the plan.

4. Next, scroll down and fill in the name of your Business/Fiscal contact, their title, and email address.
5. Upload your completed LRP in its original .pdf format by clicking the “Browse...” button and navigating to where it is saved on your computer or network.

6. Finally, hit the “Save” button so that the LRP may be reviewed by our team.
Process for Review of the LRP

Once received, the SELPA program and business team will review your plan for completeness. Should anything require attention, they will contact you directly to collaborate on updates.

The SELPA will submit the plan directly to CDE. CDE will not “approve” your plan(s), rather they will accept and support their implementation.
Reminders:

- Plans must be submitted through the Fiscal Portal by **Monday, October 25th**.
- Plans should be submitted in .pdf form
- Your plan will be reviewed for completeness by members of our Program and Business teams. If anything requires attention, they will contact you directly regarding updates
On or before September 30, 2023, SELPAs shall submit a report to the CDE that describes how funding received under this section was spent, including a summary of the learning recovery services provided.

The report shall also include the demographics of pupils served through learning recovery supports, including, but not limited to:

- The pupil’s disability
- Family income
- English learner classification
- Parents’ primary language

As the learning recovery supports are implemented, SELPAs and LEAs must keep track of the demographic information for all pupils served on the LRP to include on this report.

The CDE may conduct checkpoints, by reaching out to the SELPA to determine if there are updates to the plan, if the implementation is proceeding as intended, and if the SELPA or LEA need additional supports to implement their plan as designed.
FAQ’s: How do the LRP and other plans relate to one another?

This plan is not related to other plans such as the Special Education Plan (SEP) or Local Control and Accountability Plan (LCAP), but if there are instances where the improvement activities in the SEP or LCAP overlap with the LRP to address impacts of the COVID-19 school disruptions, CDE encourages you to maximize the resources across the LEA to support student needs.
FAQ’s: Should every student with an IEP be included in the LRP?

Not every student with an IEP will require learning recovery services and learning recovery services are not necessarily required for the same amount of time that was missed (i.e., minute for minute, or hour for hour).

Recovery services should focus on helping the student achieve the level of progress on IEP goals expected if the pandemic had not occurred.

These services should not be based on a percentage or formula calculation. Whether learning recovery services are required, and if so, the type and amount of recovery services should be an individualized decision for every student with an IEP.
FAQ’s: What data should I use to determine need for the funds?

LEAs may wish to review outcome data prior to COVID–19 school disruptions to establish a baseline and compare performance on specific data points.

Examples of data that may be useful in determining the needs of the LEA include, but are not limited to:

• Local and statewide assessment data
• Behavior data
• Student engagement data
• Teacher data
• Data on initial assessments and annual IEPs
• Parent survey data
FAQ's: What are some example expenditures related to learning recovery?

• Hiring new staff, contracting for additional service providers, or paying overtime or providing substitutes for existing staff, in order to provide missed services, conduct overdue assessments, or hold overdue IEPs.
• Expenditures relating to transporting students to make-up of missed services.
• Expenditures relating to providing other services that address these impacts including facilitation of collaborative IEP team meetings and/or conducting outreach to parents and students.
• Note- the funds may not be used to pay for already-existing staffing costs.

SELPA's and LEA's are encouraged to leverage these funds in innovative and strategic ways that directly respond to the needs of individual students.
Resources and Questions
Resources


- Charter SELPA’s Bright Spots Podcast- Reopening, Learning Loss, and English Learners: https://charterselpa.org/blog/reopening-learning-loss-and-english-learners/

- CCEE’s Playbook for Accelerating Learning: https://k12playbook.ccee-ca.org/learning-acceleration/

- CDE Guidance on Conducting Individualized Determinations of Need: https://www.cde.ca.gov/sp/se/ac/sept2021leaguidance.asp

- USDOE Resource on Addressing the Impact of Lost Instructional Time: https://www2.ed.gov/documents/coronavirus/lost-instructional-time.pdf?utm_campaign=Weekly%20Brief&utm_medium=email&hsmi=156846512&hsenc=p2ANqtz-988aCRmH56M3TkMvlGkmiZ2FylwLRp1g3JilpsYJ66b7_c71GO1cNNyFHw4rqsNKM46cBaQATqZexYKGXVZVoL9H2ng&utm_content=1568
Scroll down page to the Additional Funding section.
Questions
Thank you!

September 9, 2021

website  twitter  facebook

ADR and LRP Funds