

# CDE MEETING AGENDA



**COLORADO**  
Department of Education

## VISION

All students graduate ready for college and careers, and prepared to be productive citizens of Colorado.

## MISSION

Ensuring equity and opportunity for every student, every step of the way.



### Meeting Logistics & Desired Outcomes

<b>MEETING:</b>	Special Education Fiscal Advisory Committee
<b>DATE &amp; TIME:</b>	September 26, 2019; 9:00 – 4:00
<b>LOCATION:</b>	Englewood School District's TEC PD Room, 3800 S. Logan St., Englewood, CO 80110
<b>MEETING LEAD:</b>	Jon Paul Burden, Paul Foster
<b>MEETING PARTICIPANTS:</b> <i>(Who most needs to attend?)</i>	Heather Abraham (on the phone), Sarah Belleau, Moira Blake, Kim Boylan, Jon Paul Burden, Callan Clark, Paul Foster, Samantha Gallagher (on the phone), Vicki Graham, Gina Lanier, Sandy Malouff, Nita McAuliffe, Carolena Steen, Lynnette Steinhoff, Tamara Durbin, Marta
<b>MEETING OBJECTIVES:</b> <i>(Is a meeting necessary to accomplish the objectives?)</i>	Review of 18-19 High Cost collection, planning for 19-20 collection, work on Legislative Report

### Agenda Items and Next Steps

TIME	AGENDA ITEM	NOTES & NEXT STEPS <i>(Be sure to include communications to those not at the meeting who need to know the results)</i>
9:00	Welcome and Announcements	
	18-19 collection: debrief <ul style="list-style-type: none"> <li>Adding LRE Section of IEPs to list of pages to submit</li> </ul>	<ul style="list-style-type: none"> <li>Following up to meeting notes from April, discussing unique needs for students, how to address this in the instructions. Maybe limiting claims of smaller dollar items? Should there be a threshold on what gets claimed for equipment, materials or supplies? There could be lots of smaller priced items, but it still could add up. Costs over \$500 (hypothetically) may be problematic for smaller districts/BOCES. What about purchasing unique curriculum? Where does it stop? Reasonableness. Are there other options? Federal guidance should be good guidance for reasonable and necessary, even with state funds. We are trying to capture high cost and not second-guess, but we're not reimbursing the cost of the program, we're reimbursing the cost of the student. Keep this on a case-by-case basis. Include in the directions that unique student material costs need to be explained, the story matters. Is it TRULY unique for this student? CBOCES' hybrid program, we decided to submit as Out of District, instructions should be clarified. How do we do a whole child high cost instead of IAU and OOD? What about the unique situation with a student who begins as IAU, then goes OOD and neither threshold is met? Include in the instructions to stress those unique situations, so they can tell us very clearly for why this student is high cost. It was established long ago that we're not going to second-guess what gets included. Decisions are based on student needs, not that they'll get reimbursed. Assume best intentions. The fact that there is never a guarantee of funding should keep the decision-making organic. Reinforce reading the instructions. Do a</li> </ul>

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		<p>webinar again, record it and have it ready. Case-by-case basis. Committee decides that Sierra school will be IAU for CBOCES, OOD for everyone else.</p> <ul style="list-style-type: none"> <li>• Hybrid situations – which pot of money would these come from? Sierra School, for CBOCES kids, it would be IAU, for Jon Paul, it would be OOD. Higher threshold. CBOCES is not making money. The reality is, we don't have enough money. Could the threshold be reduced for the hybrid kids? Combine the total costs, whether In District or OOD, we decide where they spent a majority of the time to determine which pot of money it would be and where this kid would rank. Could the amount for IAU be paid from that pot, and the amount for OOD come from that pot, even though the kid may not rank in either, but together the kid would rank? Maybe \$60,000 for hybrid students? The thresholds have not increased with inflation, either. Committee decides that we evaluate on a case-by-case basis kids who are split between IAU and OOD.</li> <li>• Interpreter costs to be included in the applications. Should it be on a case-by-case basis? ADA issue. If it's IEP-related, it's a Special Ed cost, if it's for general school access, that is an ADA cost. Committee agrees.</li> <li>• For review, could we streamline it electronically? It's easier for us to have the paper for our review. Committee agrees. Give the option for submitting the whole IEP, give the minimum pages required. Committee agrees.</li> <li>• Facility Schools – are they Special Education facilities? About 60% of the students are on IEPs. Facilities get PPR for gen ed. AUs are pushing back on the number of hours, going from 3 hours of specialized instruction to 32 hours, for example. All day every day is not Special Ed. If DHS places a kid, Windsor pays the excess cost, not daily cost. Can the AU provide FAPE? Then pay the excess cost instead.</li> <li>• Put in conditional formatting for bus driver's salaries to flag when we will question it.</li> </ul>
	19-20 collection: look at the year ahead – marijuana trust fund SB 19-066	<ul style="list-style-type: none"> <li>• History of the trust fund, we don't know how much \$\$ it will be, when we will get notified, we're still gathering that information. Equalization factor for catastrophic costs. It could take 10 years for there to be significant funding. The concept is more pie, but more pie for the really high cost kids. This goes through 2027. Not going to be significant funds for a while. Statewide catastrophic fund to help with funding. Smaller investment for a greater return. Monthly deposits of around \$4,000, around \$50,000 per year so far.</li> </ul>
Noon	Lunch break – <b>everyone on their own</b>	
	Legislative Report review and update	<ul style="list-style-type: none"> <li>• Discussion at BOCES Association: As per Tamara, the Colorado BOCES Association (CBA) has initiated a Special Education Funding task force. Recently, the task force members thoroughly reviewed the January 2019 SEFAC Report for FY 2016-2017 Costs, Reimbursed in FY 2017-2018. The CBA was interested in the Executive Summary of the Report, specifically the recommendations, with the intent of using them as talking points and as the basis for making funding requests moving forward.</li> <li>• Of particular interest was Appendix E which shows the Gap Analysis for FY 2016-2017. The unreimbursed special education expenditures were \$612,582,291 in Colorado during that fiscal year, which represents 63% of the total expenditures for special education paid for by local school districts from their general fund.</li> <li>• The next meeting of the CBA Special Education Task Force is scheduled in October and there is interest from this group in knowing what the recommendations will be from the SEFAC in the January 2020 report. The effort will be on having one voice, using the SEFAC report for communication and the Consortium Overview of Possible Special Education Funding scenarios as talking points for additional funding options.</li> <li>• One of the things that is different this year than the past 10 years, our recommendations have been overshadowed. Our deficit is starting to get more attention of the legislature. Jon Paul and Moira Hawks testified to a budget committee to talk about the shortage of funding. Emphasize the mechanism of matching inflation, annual regular increases so we don't stay at</li> </ul>

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		<p>the flat funding for the next 15 years. How do we strengthen the annual component? The \$6,000 cap on Tier B was appropriate in 2004. Does this need to be upped to \$10,000? Add this to the recommendation? Senator Zenziger has been a champion of understanding the needs of Tier A and B funding shortages. Having our recommendations embraced by CASE, CASB, Consortium, and CBA would be more effective, one voice.</p> <ul style="list-style-type: none"> <li>• Because so much more attention has been brought to the legislative report, it makes sense to keep the status quo, update the data. The \$500,000 for Ed Orphans isn't really being utilized. Do people know about Ed Orphans? New Directors may not know much about it. Committee votes to keep the same structure of the report, update the data and move forward.</li> <li>• We are losing ground each year, even with the \$22 million increase. It's one step forward, two steps back.</li> <li>• Decreasing number of applications, probably due to the Voluntary Cost Estimates tab, the likelihood of funding - there has to be some formula in the state that could stipulate what the medium chance for funding is. Can we create a chart or provide some guidance to help districts that don't get funding?</li> <li>• True-up concept for Special Ed similar to Gen Ed because we're a whole year behind, very problematic for growing districts, never getting caught up. Districts like Windsor and Fort Collins, seeing increased populations of 10% per year, that shortage gets compounded each year.</li> <li>• Include the chart that was shared with the BOCES Association that Tamara provided. These numbers are all consistent and would tie the legislative report with what's already been provided to the legislature, would be consistent.</li> <li>• Discussion about Ed Orphans – Paul will talk with SDLT about how to identify an Ed Orphan and get further input and guidance so we can include that background in the legislative report.</li> <li>• Colorado is 39<sup>th</sup> in funding for schools.</li> </ul>
3:45	Good of the Order – Next meeting prep	<ul style="list-style-type: none"> <li>• Get the final touches and data points in the legislative report.</li> <li>• Look at both applications for updating and discussion.</li> </ul>
4:00	Meeting adjourns	