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OAKLAND UNIFIED SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Neena Bawa, Executive Director, Special Education

Board Meeting Date September 12, 2018
(To be completed by Procurement)

Subject Memorandum of Understanding - The Alameda County Office of Education Alternative Education School Programs and Alameda County Local Education Agencies (contractor) - Special Education Department (site/department)

CONDITIONALLY APPROVED - 11/14/18; SEE RESOLUTION NO. 1819-0011 (WITH IN THIS FILE)

Action Requested Approval by the Board of Education of the Memorandum of Understanding between the District and The Alameda County Office of Education Alternative Education School Programs and Alameda County Local Education Agencies. Services to be primarily provided to Special Education Department for the period of July 1, 2018 through June 30, 2021.

Background
A one paragraph explanation of why the consultant's services are needed.

The Alameda County Office of Education (ACOE) supports students to provide, promote, and support leadership and service for the success of every child, in every school, every day. As an education leadership agency, ACOE also provides training and support services for educators and works to advocate for great public schools for successful students in thriving communities. Their Student Programs and Services Division (SPaS) operates juvenile court and community schools, and a host of alternative education programs for students not served by local school districts.

Discussion
One paragraph summary of the scope of work.

Approval by the Board of Education of a Memorandum of Understanding between District and The Alameda County Office of Education Alternative Education School Programs and Alameda County Local Education Agencies, for the latter to establish and maintain a clearly defined, effective procedure for placement and delivery of services to identified students with Individualized Education Program (IEPs) placed by school districts in the Alameda County Office of Education Community/Alternative Education schools for the Special Education Department for the period of July 1, 2018 through June 30, 2021.

Recommendation Approval by the Board of Education of a Memorandum of Understanding between the District and The Alameda County Office of Education Alternative Education School Programs and Alameda County Local Education Agencies. Services to be primarily provided to the Special Education Department for the period of July 1, 2018 through June 30, 2021.

Fiscal Impact Funding resource name (please spell out): Special Education Funding - Alameda County Office of Education will bill quarterly for students with IEPs enrolling in the Community School - Alternative Education Program and will be calculated at \$46.48 per day enrolled.

Attachments

- Memorandum of Understanding



CONTRACT JUSTIFICATION FORM

This Form Shall Be Submitted to the Board Office With *Every* Consent Agenda Contract.

Legislative File ID No. _____

Department: _____

Vendor Name: _____

Contract Term: Start Date: _____ End Date: _____

Annual Cost: \$_____

Approved by: _____

Is Vendor a local Oakland business? Yes ___ No ___

Why was this Vendor selected?

Summarize the services this Vendor will be providing.

Was this contract competitively bid? Yes ___ No ___

If No, answer the following:

1) How did you determine the price is competitive?

2) Please check the competitive bid exception relied upon:

- Educational Materials**
- Special Services** contracts for financial, economic, accounting, legal or administrative services
- CUPCCAA exception** (Uniform Public Construction Cost Accounting Act)
- Professional Service Agreements** of less than \$87,800 (increases a small amount on January 1 of each year)
- Construction related Professional Services** such as Architects, DSA Inspectors, Environmental Consultants and Construction Managers (require a "fair, competitive selection process)
- Energy** conservation and alternative energy supply (e.g., solar, energy conservation, co-generation and alternate energy supply sources)
- Emergency** contracts [requires Board resolution declaring an emergency]
- Technology** contracts
 - electronic data-processing systems, supporting software and/or services (including copiers/printers) over the \$87,800 bid limit, must be competitively advertised, but any one of the three lowest responsible bidders may be selected
 - contracts for computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus, including E-Rate solicitations, may be procured through an RFP process instead of a competitive, lowest price bid process
 - Western States Contracting Alliance Contracts (WSCA)
 - California Multiple Award Schedule Contracts (CMAS) [contracts are often used for the purchase of information technology and software]
- "Piggyback" Contracts** with other governmental entities
- Perishable Food**
- Sole Source**
- Change Order for Material and Supplies** if the cost agreed upon in writing does not exceed ten percent of the original contract price
- Other, please provide specific exception**

Memorandum of Understanding
Between
The Alameda County Office of Education
Alternative Education School Programs
And
Alameda County Local Educational Agencies

Alameda USD
Albany USD
Berkeley USD
Castro Valley USD
Dublin USD
Emery USD
Fremont USD
Hayward USD
Livermore USD
Mountain House USD
New Haven USD
Newark USD
Oakland USD
Piedmont USD
Pleasanton USD
San Leandro USD
San Lorenzo USD
Sunol Glen USD

The organizations above through this memorandum of understanding (MOU) agree to the following:

- I. Purpose:** The purpose of this Memorandum of Understanding is to establish and maintain a clearly defined, effective procedure for placement and delivery of services to identified students with IEPs placed by school districts in the Alameda County Office of Education Community/Alternative Education schools.
- II. Terms of Agreement:** The term of this agreement will be for three years beginning July 1, 2018 – June 30, 2021.

III. Description of Services:

- A. Local Education Agencies: During the duration of this agreement, the placing school district requesting placement for students with an IEP in the Alameda County Community School/Alternative Education Program will:**
1. Contact the ACOE SPAS Enrollment at (510) 670-4590, or SPASenrollment@acoe.org to refer an identified student with an IEP to the County Community School Programs.
 2. Complete and sign the ACOE referral packet, which includes a per student cost of \$46.48 per day enrolled to the sending district for special education services, and attach the current IEP, educational and psychological assessment. (Note: IEP's must be current to consider placement)
 3. Remain the district of residence.
- B. Alameda County Office of Education: During the duration of this agreement Alameda County Office of Education will:**
1. Provide general education services to students with IEPs and special education services identified on the student's IEP and the Inter-SELPA Agreement.
 2. Provide appropriately credentialed Special Education staff to implement the IEP.
 3. If invited by the district of residence, attend the referred student's IEP meeting, prior to enrollment at ACOE, to provide placement advice.
 4. Schedule and hold placement IEP's and 30 day review IEP's, to which the district of residence will be invited.
 5. Consult with the district of residence to arrange mutually agreeable dates for IEP meetings (initial, annual, placement, and/or requested for any reason). No changes in placement or services will occur except through an IEP meeting which invites representatives of the district of residence and all other legally required members.
 6. Complete any assessments as required by the IEP.
 7. Notify the district of residence of any referrals for additional assessments for identified students with IEPs and/or new referrals for special education services for students placed in ACOE programs within seven days of the receipt of the referral.
 8. Act as the district of service.
 9. Billing for students with IEPs enrolled in the Community School -Alternative Education Program will be calculated at \$46.48 per day enrolled. Billing will be sent out quarterly. Services logs will be included upon request.

- I. **Severability:** Should any part, term, or provision of the MOU be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the other parts, terms, or provisions hereof shall not be affected thereby.
- II. **Successors/Assignment:** The MOU shall be binding upon and shall inure to the benefit of the successors of the parties. Except to the extent expressly provided herein, no party may assign any right or obligation hereunder without the written consent of the other parties to this MOU.
- III. **Amendment of the MOU:** The MOU may be amended by a supplemental agreement executed and approved by the County Agencies and other parties to this MOU.
- IV. **Form of Approvals:** Whenever the approval of any party hereto is required by this MOU, unless the context specified otherwise, such approval shall be given by resolution or other formal action duly and regularly agreed upon by all parties to this MOU.
- V. **Termination of Agreement:** Any party to this MOU may terminate its participation in this MOU by giving written notice to the other parties one year prior to the effective date of the termination.

IN WITNESS WHEREOF, the parties hereto have caused the MOU to be executed and attested by their proper officers where unto duly authorized, as of the 15th day of November, 2018.

CONDITIONALLY APPROVED - 11/14/18; SEE RESOLUTION NO. 1819-0011 (WITHIN THIS FILE)

Aimee Eng
 Aimee Eng / President, Board of Education 11/15/18

 District Representative (*Print Name*) / Title Date

Kyla Johnson Trammell

 Signature
 Kyla Johnson Trammell Secretary, Board of Education 11/15/18

LEA

 Director of Special Education or Designee for Alameda County Office of Education Student Programs and Services
 _____ Date