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Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Sondra Aguilera, Chief Academic Officer
Jenn Blake, ED, Special Education

Meeting Date March 24, 2021

Subject Assurance of Compliance - 2021 Comprehensive Coordinated Early Intervening Services Plan (CCEIS)

Ask of the Board Affirm that OUSD will comply with state law and regulations in the process of developing the 2021 CCEIS plan.

Background OUSD has been identified as significantly disproportionate in terms of eligibility for Special Education of African American students under Emotional Disturbance and Other Health Impairment and for disproportionate discipline of students who are African American and have Individual Education Programs (IEPs). When a district is significantly disproportionate, they must set aside 15% of their Special Education grant monies for CCEIS activities, which activities are intended to assist OUSD in exiting Significant Dispro status.

Discussion OUSD is currently in Significant Dispro status (i.e., during the 2020-21 school year) based on our 2018-19 school year data. Based on our 2019-20 school year data, the Department of Education has notified us that we will be in Significant Dispro status again for the 2021-22 school year for the areas indicated above. As such, we are required to create another CCEIS plan. The process begins with the assurances document, signifying that OUSD will comply with the process. This document must be signed by the SELPA director, superintendent, and Board president.

Fiscal Impact Fifteen percent of all Special Education federal grants (resources 33xx) must be set aside for intervention services based on an approved CCEIS plan.

Attachment(s) • Assurances Document

ASSURANCE OF COMPLIANCE

2021 Significant Disproportionality Comprehensive Coordinated Early Intervening Services

Individuals with Disabilities Education Act of 2004, Part B Grant

Within 30 days upon receipt of notification of Significant Disproportionality, the Assurance of Compliance must be signed and emailed to SigDisp@cde.ca.gov.

As a special condition for receipt of the federal fiscal year (FFY) 2021 Individuals with Disabilities Education Act (IDEA) Part B grant funds, the local educational agency (LEA) must meet the following:

Part 1: The LEA shall comply with 34 *Code of Federal Regulations (CFR)* Section 300.646, which requires an LEA to: (1) reserve exactly 15 percent of the Part B IDEA sections 611 and 619 funds received for Comprehensive Coordinated Early Intervening Services (CCEIS). The LEA cannot reduce its state and/or local expenditures for the maintenance of effort by the allowable 50 percent adjustment of the new IDEA funds received in FFY 2021–22; (2) provide for the review and, if applicable, revise the policies, procedures, and practices used for the identification or placement of students into special education that comply with IDEA requirements; and (3) publicly report any revision of policies, procedures, and practices in Part 1(b).

Part 2: Any LEA that uses 15 percent of IDEA Part B funds for CCEIS must report annually to the California Department of Education (CDE), the state education agency, on (1) the number of students who receive CCEIS; and (2) the number of students who received early intervening services, and who subsequently receive special education and related services within two years after receiving CCEIS.

Part 3: The LEA shall comply with the provisions of IDEA (20 *United States Code* Section 1413[f]) and the regulations in 34 *CFR* Section 300.226 which define and describe CCEIS. Specifically, CCEIS funds may be used to supplement, but not supplant, services aligned with, and activities funded by, and implemented with a federally funded project; most notably, the Elementary and Secondary Education Act which includes Title I services. There is not a requirement to “supplement not supplant” for state or local funds (34 *CFR* Section 208 [a]). CCEIS funds may be used to develop and support a multi-tiered system of prevention and intervention options, but may not be used to support the implementation of core or universal activities designed to provide high quality instruction to all students in a grade, school, or LEA.

Part 4: The LEA shall report to the Special Education Division the FFY 2021–22 Part B IDEA section 611 grant amounts for Resource 3310 allocation and Subgrant 619 grant amounts for Resource 3315 allocation. Similarly, the LEA agrees to provide the FFY 2021–22 Part B IDEA Subgrant 611 grant amounts for Resource 3310 and Subgrant 619 grant amount for Resource 3315 allocation.

Part 5: For FFY 2020–21, the LEA shall provide a budget allocation and allowable costs budget to the California Department of Education (CDE) for the 15 percent of Part B

IDEA funds used for CCEIS. LEAs are permitted to use IDEA Part B funds to develop and provide CCEIS within the allowable budget period, July 1, 2021, through September 30, 2023. The allowable cost budget shall detail how and for whom these funds will be spent to implement and/or improve the LEAs CCEIS Programmatic Improvement Process. All of the allowable budget items MUST be part of CCEIS for students ages three to grade twelve. The LEA is required to obtain ten hours of technical assistance (TA) for each indicator identified. The TA facilitator(s) must be a CDE approved TA facilitator.


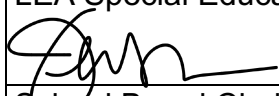

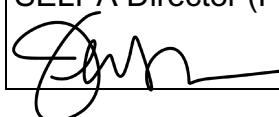
Part 6: The LEA shall implement CCEIS as described in the Essential Questions and Answers document by the Office of Special Education Programs, Office of Special Education and Rehabilitations Services, U.S. Department of Education (ED) on the ED Web page at <https://sites.ed.gov/idea/files/significant-disproportionality-qa-03-08-17.pdf>. (Enclosure 7)

Part 7: The LEA shall comply with the guidance and monitoring provided by the CDE including making records, data, and reports available through a knowledgeable and accountable contact person. The SELPA director must certify their involvement in the development of the Significant Disproportionality CCEIS Programmatic Improvement Process, any addendums, fiscal information, and quarterly reports.

Complete the required information for the identified LEA:

LEA Name: Oakland Unified School District	County District Code:
LEA Contact Name: Sondra Aguilera	LEA Contact Email: Sondra.Aguilera@ousd.org
SELPA Name: Jennifer Blake	SELPA Contact Email: jennifer.blake@ousd.org

The following signatures convey agreement with the above seven parts:

LEA Superintendent (Print Name & Signature)  Kyla Johnson-Trammell	Date Signed: 1.28.2020 Contact Phone: 510-879-8000
LEA Special Education Director (Print Name & Signature)  Jenn Blake	Date Signed: 1.19.2021 Contact Phone: 925-285-9082
School Board Chairperson (Print Name & Signature)  Shanthi Gonzales	Date Signed: 3/25/2021 Contact Phone:
SELPA Director (Print Name & Signature)  Jenn Blake	Date Signed: 1.19.2021 Contact Phone: 925-285-9082