



SCHOOL BOARD ACTION REPORT

DATE: May 18, 2017
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF Michaela Clancy, Director of Special Education
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For Introduction: June 28, 2017
For Action: July 5, 2017

1. TITLE

Approval of contracts for Related Services RFQ05790

2. PURPOSE

This Board Action Report seeks approval for annual contracts generated from agencies/providers approved through RFQ 05790, Related Services Agency Contracts for *Educational Staff Associate (ESA), Deaf and Hard of Hearing (DHH), Vision, Orientation and Mobility and Audiology Services: Evaluation, Case Management, and Specially Designed Instruction*, with an approximate combined total of \$1,857,363.00 for the 2017-2018 school year, based on yearly 2016-2017 ESA Contract Totals.

3. RECOMMENDED MOTION

I move that the School Board authorize the Superintendent to execute contracts with agencies approved through RFQ05790 (pending) *Educational Staff Associate, Deaf and Hard of Hearing, Vision, Orientation and Mobility and Audiology Services: Evaluation, Case Management, and Specially Designed Instruction*, based on an average ESA provider hourly rate of \$78.00 per hour, for an estimated school year total of \$1,857,363.00 for all agencies governed under the RFQ, with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary actions to implement these contracts.

4. BACKGROUND INFORMATION

- a. **Background** There are currently Seattle Public Schools students with Individualized Education Plans (IEPs) or in the referral process that require special education services that the district will be unable to provide if not fully staffed with appropriate ESA and DHH staff. These agency contracts are for the staffing of contracted ESA providers in the areas of School Psychologists, Occupational Therapists, Physical Therapists, Speech Language Pathologists, Deaf and Hard of Hearing Service Staff, Vision, Orientation and Mobility Service Staff and Audiology staff, as well as for meeting district contracted DHH staffing needs for leave replacements and hard to fill positions.

This motion is being brought because of requirements around the provision of student IEP and evaluative services, based on historical data trends that indicate the need for additional contracted staffing support for related services at the beginning of the school year, and throughout the school year to address unfilled positions and leave replacement positions.

- b. **Alternatives** Not to approve this motion. This is not recommended because students' legally mandated Individual Education Plan (IEP) and evaluative service needs will not be met without appropriate staffing. The district does not currently have sufficient additional staff or substitutes to provide ESA, DHH and Vision staffing when positions go unfilled or for leave replacement positions.
- c. **Research** N/A

5. FISCAL IMPACT/REVENUE SOURCE

Fiscal impact to this action will be of \$1,857,363.00

The revenue sources for this motion are the IDEA Federal Grant, State Special Education Funds, and Baseline Funding.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. COMMUNITY ENGAGEMENT

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

Community engagement was elicited through the RFQ process for ESA related services, Vision and DHH services. Through the RFQ process, feedback and responses to questions generated by representatives from multiple Seattle Public Schools departments was elicited from the agencies delineated in this BAR. The RFQ process allowed the district to review and determine that these agencies meet the qualifications outlined through the RFQ. Team leads for Related Services provided input to determine appropriate services in these areas and informed the RFQ process, as well as the need for ongoing agency contracts to fill positions and provide leave replacement coverage.

7. EQUITY ANALYSIS

N/A – Related services are required IEP driven services. Evaluation services are mandated by IDEA. In review of the district's equity tool, an equity analysis was not appropriate for these services. Staffing needs for related services are driven by Collective Bargaining Agreement language for ESA staff and IEP and Evaluation caseload data. Special Education referral rates

and overall identification for specially designed instruction, including related services, will be reviewed by the central special education team during the 17-18 school year to address ongoing disproportionality as required by IDEA fund application processes.

8. STUDENT BENEFIT

Approval of this proposed action will benefit students who require IEP and evaluative services, who would otherwise be inappropriately served or unable to access necessary special education services (failure to complete evaluations) and supports to make adequate progress in their educational programming.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

Per Policy No. 6220, Procurement, contracts over \$250,000 require Board approval. Special Education services will be provided under the contract in alignment with Policy No. 2161, Special Education. This will include programs and services that are identified in students' Individualized Education Programs (IEPs).

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the A&F Committee meeting on June 8, 2017. The Committee reviewed the motion and moved this item forward for approval to the full Board.

It was requested by the Committee to provide the number of due process issues and citizen concerns:

For 2014-2015:

Due Process Filed: eighteen
OCR Complaints Filed: Five
Citizen Complaints: Fourteen

For 2015-2016:

Due Process Filed 2015-16: Seventeen
OCR Complaints Filed 2015-16: Seven
Citizen Complaints Filed 2015-2016: Fourteen

For 2016-2017:

Due Process Filed 2016-17: nineteen
OCR Complaints Filed 2016-17: Three
Citizen Complaints Filed 2016-2017: Three

12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, contracts with agency providers will be initiated per the RFQ approval process, and services will be provided beginning September 1, 2017.

13. ATTACHMENTS

- RFQ05790 (pending) Educational Staff Associate and DHH Staff: Evaluation, Case Management, and Specially Designed Instruction
- 2016-2017 Special Education ESA and DHH contract list